

ANNO. XXIII. HENRICI
OCTAVI

The king our soueraigne lord

Henry the eighth by the grace of god kyng of Eng-
land and of Fraunce defender of the faythe and
lorde of Ireland, at the sessions of his high Court
of parliament after diuers prorogations, holden
at westminster the. XV. daye of January / in the.

XXIII. yere of his most noble reigne to the
honour of almighty god & holy church.

and for the common weale and profite

of this his realme, by the assent of

the lordes spiritual and tempo-

ral, and the commons in

this present parlia-

ment assembled,

and by auctori-

tie of the

same, hath ordeined established and ena-

cted certaine good statutes lawes

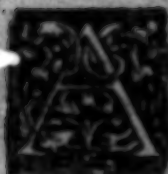
and ordynaunces in maner

and fourme folo-

winge.



THE TABLE.



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In acte that no person committinge petit treason,
murder, or felony, shall be admitted to his
clergie, under subdencon. ca. i.



Here at a parliament holden at Westminster, in the thirde
yere of kinge Edward the firste, the same kyng mo-
ued the prelates of the realme, and them enioyned vpon
their sayth, that they owed to him, that in no wise they
shoulde deliuer those clerkes, whiche were indyted for
felonie, without due purgation, so that the sayde kyng
shulde haue no neede to put other remedy in that behalfe. And that not
withstandyng after that monition byuers and many clerkes conuicte
were accustomedly deliuered and suffered to make their purgations, to the
greate cojage of euill doers: By occasion wherof afterwarde at an other
parliament holden at Westminster in the.iiii. yere of kinge Henry the fourth
vpon the compleynre of the commons, the same kyng Henry the fourth
than aduertised the prelates of the realme of the pmisses, entending than
to haue prouided remedy, by auctoritie of the sayd parliament, as ap-
perceyued to his prerogatyue to call, for the conseruation of the peace of the
Crowne: At whiche tyme the archebysshop of Canturbury, for hym selfe
and all other bysshopes of his prouince than openly promysed to the same
kyng Henry the fourth, that if any personne from thens forth were con-
uicte of any treasonne, which touched not the kyng nor his copall maie-
ste, and suche as were notoriously knowen and reputed for theues, and
for such cause deliuered to any ordinarie as a clerke conuicte, that the or-
dinarie, to whome suche person or personnes were deliuered, shoulde safely
kepe them after the effecte of a constitution prouinciall to be made by the
sayde archebysshoppe and bysshops after the effecte of the letters of Simon
than alsoe that tyme archebysshop of Canturbury, bearinge date the.iii.
kalendes of Marche, the yere of our lord god. M.CCC.I. and that no
such traytoure nor felon shulde make his purgation agayne the sayde Con-
stitution, which Constitution the saide archebysshop than promysed to de-
liuer to the same kyng before his nexte parliament, to thintente that yf it
shulde seme to the same kyng, that the same Constitution were not suffi-
cient remedy for the pmisses, that then the saide kyng mighte prouide
suche remedy as shoulde apperteyne in that behalfe. Wherupon whiche
tyme the same Constitution was neuer notified ne shewed by the prelates
of this realme, but continually sithen that tyme manifest theues and mur-
derers indyted and founde guiltie of their murtheres by good and substan-
ciall inquestes vpon playne and profeable euidence before the kinges Ju-
stices, and afterwarde by the iudges of the common lawes of the lande
deliuered to the ordinaries as clerkes conuicte, be speedily and hastily de-
liuered and set at large by the ministers of the sayde ordinaries for corrup-
tion

Purgation;

Ordinarie;

Prelates;

J.ii.

tion

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tion and lucre, or els because the ordinaries enclaymyng suche offenders by the libertie of the churche, will in no wyse take the charges in saue keepinge of them, but lettell regardynge the trial and conuiction of the sayd offenders, by the due and playne course of the common lawes of the londe, do suffre them to make theyr purgations by suche as nothyng knowe of theyr mysdores: and by suche fraude adnull and make voyde all the good and prouable tryall that is vsed agayne suche offenders by the kynges lawes, to the great disclaunder of suche as pursue suche mysdores, and to the pernicious crample, encrease, and corage of suche offenders, if the kynges hyghnes by his auctorite tofall put not speedy remedye in the premises as apperteyneth.

¶ Be it therfore enacted by the kyng our soueraygne lord, and the lordes spirytuall and tempoall, and the commons in this presente parliament assembled, and by auctorite of the same, that no person nor persons, whiche hereafter shall happen to be founde guiltye after the lawes of this londe for any maner of petit treason, or for any wilfull murder of malice prepensed, or for robbynge of any churches, chapelles, or other holy places, or for robbynge of any persone or persones in theyr dwellinge houses or dwellinge place, the owner or dweller in the same house, his wyfe, his chyldren, or seruantes, than beyng within, and put in feare and drede by the same, or for robbynge of any person or persones in or nere aboute the highe wayes, or for wilfull burnynge of any dwellinge houses or barnes, wherein any gayne of comes shall happen to be, nor any persone or persons beinge founde guiltye of any abbettements, procurement, helpynge incontinynge, or counsellynge of or to any suche petty treasons murders or felonies, shall frome hensforth be admitted to the benefite of his or their clergie, but utterly be excluded therof, and suffre deithe in suche maner and fourme as they shuld haue done for any the causes or offences abovesaid, if they were no clerkes. Suche as be within holy orders, that is to saye, of the orders of subdeacon or aboue alonely excepte.

*Clergy.
Ordin.
Subdeacon.*

¶ And be it further enacted by auctorite aforesayd, that every suche persone and persones within suche orders of subdeacon or aboue, whiche at any tyme hereafter be founde guiltye of any petty treason, or of any murder of malice prepensed, or of any of the felonies aboue reherised, or of any accessarie to petit treason, wilfull murder, or to any other the felonies aboue specified, and admitted to his or their clergie, and deliuered to the ordinarie for the same, shall not in any wyse from hensforth be suffred to any purgation, nor be set at libertie, but remayne and abyde in perpetuall prison, vnder the keepinge of the ordinarie, to whom he shalbe committed and his successours, withoute any maner of purgation durynge the naturall lyfe of every suche conuicte. Excepte onely suche person or persones so beinge within suche holy orders and conuicte of or for any of the offences aforesayd, and deliuered to the ordinarie for the same, do fynde two sufficient

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clente sureties by recognisance before two of the kynges Justices of his
peace within the same shire, where the peccie treason, murder, or felonye,
wherof he was convicted, was committed and done, wherof one of them
to be of the Quorum, that suche convicted shall be of good abearynge a-
gynste the kyng our soveraine lord, his lawes and subiectes, every such
convicted to be bounde in the summe of .xl. li. and every his sureties in .xx. li.
And that no sureties be taken onlesse such as may dispende in landes tene-
mentes or hereditamentes yerely above all charges of estate of inheritance
of chauncy holde .xx. li. s. viii. d. or els be worth .xx. li. in moueable substance
at the tyme of the takinge of such recognisance. And that two Justices
of peace, wherof one to be of the Quorum, by auctorite aforesaide haue
power and auctorite to take such recognisance. And that the sayde Justi-
ces, aforesaid, whome any such recognisance shall be taken, shall certifie the
same in to the kynges bench within foure monethes nexte after the taking
therof, vpon payne to lose and forfayte .l. s. for every defaute therof.

Surety.
Recognizance.

Justices of
peace,

It is provided alwaye that this acte extend not to grue any benefite to any
such prisoner or personnes, whiche after their confession, or iudgement giuen
agynst them of or for felonye or murder, or after they be outlawed for any
such cause, be admitted to their cleargye, and deliuered to the ordynary for
the same, but that they and every of them, shall remayne in the custodie of
the ordynaries without makinge purgation, vpon suche perill and in such
manner and fournis as it was used by the common lawe before the makinge
of this present acte, this acte or any thinge therein conteyned not with-
standinge.

It is provided alwaye and it is further enacted, that every ordynary, to
whose custodie any suche convicted for any of the offences aboue reherfed,
shall be committed, maye at his libertie disgrace every suche convicted after
the lawes of the church, if he se cause so to doo, and sende the convicted so
disgraced in sure and safe keepinge in to the kynges bench with a certifi-
cate vnder his seale to dispense the sayde disgradyng, vpon the whiche
the Justices of the kynges bench, haue aforesaid them the recoorde, vpon
the whiche the sayde personne so disgraced was first convicted, shall grue
the same iudgement of death vpon the same recoorde agynste every suche
person so convicted and disgraced, as the Justices, aforesaid, whome he was con-
victed, might haue done; if the sayde person so disgraced at the tyme of his
conviction aforesaid had be no clerke, his admission to his cleargye, and
committinge to the ordynary, or any other thinge use or custome to the
contrary herof not withstandinge. And that every suche iudgement shall
be executed accordingly. And that every ordynary so sendinge any suche
convicted disgraced in to the kynges bench, shall be discharged agynst the
kyng our soveraigne lord, his heires and successours of or for any fur-
ther custodie or keepinge of the same convicted.

Disgradyngs

This acte to continue vnto the laste day of the nexte parliament.

EDWARD

Act.

In acte

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In acte concerninge where and under what maner the taples within this realme shall be reformed and made. Cap. 11.



Where as moche as it is necessary and convenient, that common taples and pysones, wherunto euery man shall be committed for their offences, shoulde be suffeysed and substantiallye reformed in suche townes in euery shire within this realme, as shal be mooste industrie and conseruance of pysoners from euery part of the shire, wher in such taples shalbe and in especiall in those townes, where mooste commonly the assises and sessions bene usuallye kept, and where there is mooste resort and repaire of people, to the intent that by the meane therof fewer shal escape, and also the rather and oftener edifice and charitie of the people shal be to the pysoners misfortune. It may therefore please the kinges highnes, with chassent of the lordes spirituall and tempozall, and the commons in this present parliament assembly, and by auctorite of the same to enacte, that the Justices of peace of euery of the shires of Essex, Suff. Dors. Suffex, Surrey, Nottingham, Glouc. Bedforde, Buck. Huntingdon, Wiltes. Kent, Warwyke, Stafforde, Oxen. Barke. Leicesters, Rutlande, Lyncolne, Deretorde, Northampton, Salop. Dors. and Cornewall or the mooste part of the same Justices of peace in euery of the said shires within the limites of their commission, shal haue full power and auctorite to limite and appoynte at any tyme within the terme of one yere from the ende of this present parliament, the townes and places wherein they shal thinke mooste necessarye to haue a common Tayle made, reformed and made. And that also the saide Justices of peace in euery of the saide shires, or the most part of the saide Justices of peace within the limites of theyr commission, shal haue full power and auctorite to call before them at tymes and places by them to be appoynted, all the high constables, trynyge men, or bozough holders of euery hundred, laike, or wapentake in the shire, wherof they be Justices, and in their presence and by their assentes and agreementes, or in the presence and by the assente of the moost parte of them shal conclude and agree vpon suche conuenients and certayne summes of money, as shal be thoughte by theyr discretions and by examination of woyme men to suffice for the makinge and perfecting of any thinge of a newe taple in the shire, wherof they be Justices of peace, and thereupon shal forthwith by theyr assentes agreementes and discretions take and set euery such personne and persons, as than shal be resant in the same shire, as well within liberties as withoute, haunge ladders, tenementes, rentes, or annuities of estate of inheritance, or for terme of yere, to the cleare peatele value, of xl. s. or above, or brynge worthe in moucable substance the cleare value of xx. li. or above, to such reasonable ayde and

summes

Justices

Justices of
peace.

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summes of money as shall be thought convenient by the said Justices of
 and for the full buydinge and byng and bynging of the said common
 stails of the shire; where such assessements shall be made: And also such
 taxation to name and appoynt such nombre of collectors for the levying
 thereof; as shall seeme best by their discretion: And that the sayd colle-
 ctours and every of them shall have power and auctorite to distress every
 such person as shall be sette or rated by the sayd Justices of peace; as is
 afore said, in their landes or goodes, as well within liberties as without,
 and to sell the distresses by them taken by the appoyntment of them; honest
 persones for the payment of the sayd summes to be rated; if the person or
 persones rated refuse to paye the same within a daye next after the daye
 stalle taken, takinge upon every such sale but only the money that is
 reasonable: costs for takinge of the distresses and the charges of such
 sales to be depayed to the owner of the said distresses: And that also the
 sayd Justices of peace in every of the sayd shires, on the moost parte of
 them, with in the limits of their commission, shall have power and au-
 thozytie to name and appoynt such honest persones in habited in the sayd shire,
 wherein they be Justices, which if persons shall forney, see, and provide
 that the sayd sayles shall be surely and substantially made and payed
 to whose handes the sayd collectors shall pay and depay the money by
 them collected of the kinges subiectes by the appoyntment and assigne-
 ment of the sayd Justices of peace, or by of them at the lasted: And that
 as well every of the sayd collectors, as every of the sayd persons to be
 named; they heren, executors, and administrators shall declare a true
 and a iust account to the sayd Justices of peace in every of the said shires
 or to by of them at the last from tyme to tyme when they shall be required:
 And in case any of them refuse to make account, or refuse to pay and em-
 ploye such summes of money as shall come to their handes; in such wise
 as shall be lyquitted and appoynted by the sayd Justices of peace or by of
 them (as is afore said) that then the same Justices of peace, or by of them
 in every shire, where such sayles shall be newe made, shall have full power
 and auctorite, if the sayd offenders be present, to committe them to ward;
 and if they be absente, to make attachementes under their seales by their
 discretions agaynst every such collector and person to wholl handes any
 of the sayd summes of money rated shall happen to come; they heren
 executors and administrators and every of them, in every shire and
 parte of this realme, as well within liberties as without, to be returnable
 afore the sayd Justices of peace at such daye and place as by them shall be
 appoynted, and to be directed to the shire or shires of the shire, wherein
 the partie or parties, agayne whom such attachement shall be directed, shall
 be resident and abiding, if it be within the baylywike of the shire, and
 if it be without, thanne to be directed to the baylye of the shire, wherein
 such partie shall abyde: And that every shire and baylye of liberty

Collectours

Distress

Distress

Assess

Comptrol

Shire
Attachement
Baylye

to whole

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to whose handes suche attachments shall come, withoute fauour or corruption shall attache the saide offenders, and personally bringe them before the saide Justices according to the tenour of that attachment to them directed, or elles declare by his returne of the saide attachment some reasonable cause why he can not so doon, upon payne for every default by them or any of them committed contrary to this acte to lose and forfeite: Cij. s. to the hysse our soueraigne lord. And upon the apprehens of every such person so attached the saide Justices or dy of them shall haue full power and auctorite to committe them to prison, there to remaine withoute baile or mainpryse till they haue truly accompted and payed all such summes of money as shall be due to their handes by the assignement of the saide Justices by vertue of this acte. And in case there happen to remaine any ouerplus of money after the moneys fully and wholly payed, than lets ordered that the same ouerplus shall be employed and bestowed in almes to the poor persons to be committed in the saide waye by the discretions of the saide Justices of peace, or the more parte of them as long as it will last.

It is ordained alway that this acte extendeth not to charge any persons inhabiting within any cities townes or boroughs corporate, which haue common sayles for felons taken in the same, & haue iustices of peace for deliuerance of such felons, for any taxes or lottes to the thirkepage of the saide common sayles of any the threes about inclosed, but that every such inhabitant in any such city towne or borough corporate shall be directly discharged therof.

And be it further enacted that severall commissioners under the kinges great seale, with this present acte thereto assented, shall be directed to the Justices of peace of the shires also named, auctorizinge them to accomplish and execute this present acte according to the tenour thereof in every behalf. And that the said Justices of peace in every of the shires aforesaid, haue power and auctorite to license to every of the saide collectors and persons by them to be named, that shall take paynes for leppinge of the money raised, or for the furnishing of the makinge of the saide sayles, such reasonable summes for their paynes and labours for the collection of the saide money and furnishing the makinge of the said sayles.

And be it further enacted by the auctorite aforesaid, that all murderers and felons shall be imprisoned in the saide common sayles, and not els where. And that the shiriffes shall haue the keepinge and charge of the same newe sayles. And that every shiriffe be allowed upon his accompt in the vischeit for all and every such summes of money as he shall hereafter happen to expende in and about the necessary reparations or amenderments of the said sayles after they be once made from time to time as often as neede shall require. And that the barons of the shires Exchequer haue power to allowe every shiriffe in every such case by their discretions withoute any bylle or warrant to be shewed from the shires highnes in that behalfe.

It is ordained alway that this acte be not in any wise hurtfull or prejudiciall

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diciall to any person or personnes haupnge any common sayles by inher-
tance for terme of lyfe or for yeres, but that they shall haue and enioy their
saide sayles and the p[ro]p[er]ties, fees, and commodities of the same, as they
had or myght lawfully haue had befo[re] the makinge of this acte, and as
if this acte had neuer ben had ne made.

¶ Be it further enacted by auctozitie afo[re]saide, that lyke p[ro]uision in e-
uery behalfe be had for a newe Sayle to be made within the countie of Der-
bye in like fourme as is p[ro]uided for other shires afo[re]saide.

An acte concerning perjurye and punishment of vntrewe verdictes. Capit.iii.



He kyng our soueraigne lord of his moste goodly and
gracions disposition calling to his remembraunce how
that perjurye in this lande is in manyfolde causes by
vnrasonable meanes detestablye vsed, to the dishery-
taunce and greate damage of many and greate numb[er]
of his subiectes, well disposed, and to the moost highe
displeasure of almighty god, The good statutes ayenst
all officers hauinge retourne of writtes and their deputies makynge pa-
nelles partially for rewardes to them giuen, agaynst vnlawfull maynte-
nours embassours and Jurours and agaynst Jurours vntreuely yeuynge
their verdicte not withstandinge. For reformation wherof, and for as
moche as the late noble kinge Henry the. vii. p[ro]uided remedy for the same
by a statute made in the. xi. yere of his reigne, whiche statute is nowe ex-
pired. Be it therfore nowe enacted by the kyng our soueraigne lord,
and the lordes spirituall and temp[or]all, and the commons in this p[re]sent
parliament assembled, and by auctozitie of the same, that vpon euery vn-
trewe verdicte hereafter giuen betwixte partie and partie, in any sute playnt
or demaunde befo[re] any Iustices or Judges of reco[rd], where the thyng
in demaunde and verdicte therupon giuen extendeth to the value of .xl. li.
and concerneth not the leoperdye of mannes life, the partie greued by the
same verdicte shall haue a writte of Attrepnt agaynst euery person hereaf-
ter so groupnge an vntrewe verdicte and euerpe of them, and agaynst the
partye, whiche shall haue iudgement vpon the same verdicte. And that in
the same attrepnt, there shall be awarded agaynst the petit Jurpe the partie
and the graunde Juris Somons Reson and dystresse inrupte, whiche
graunde Jurpe shall be of lyke number as the graunde Jurpe is nowe in
attrepnt, and euerpe of them, that shall passe in the same, shall haue landes
and tenementes to the value of twenty markes by the yere of frehold out of
the auncient demene. And vpon the dystresse whiche shall be deliuered of
reco[rd] vpon the same open proclamation to be made in the court there.
The dystresse shall be awarded moze than fyftene dayes afo[re] the retourne
of

Derbye

Perjurye

Verdictes

Attrepnt

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of the same distresse, and every suche distresse shall be made upon the lande of every of the said graunde iury as in other distresse is and hath ben used. And if the sayde party defendante or the petite Jurours or any of them appere not upon the distresse, than the graunde Jurors to be taken agaynste them and every of them that shall soo make defaute. And if any of the sayd petite iury appere, than the party complaynant in that behalfe shall assigne the false serement of the sayde verdicte vntirely given, wherunto they of the petite iury shall haue none answer, if they be the same persons, and the wytte processe retorne and assignement good and lawfull, excepte that the demaundante or pleintife in the same Atteynce hath also ben nonsute or discontinued his sute of attayne taken for the same, or hath for the same verdicte in a wytte of attaynt had iugement agaynste the sayde petite iurie, but onely that they made trewe serement, which shalbe tried by xxiii. of the sayde graunde iurie, and the parties shall plede, that they gaue trewe verdicte, or any other matter, which shall be a sufficiente Barre of the sayde attaynt. And that plee not withstandinge, the graunde Jurors to be taken without delaye to enquire whether the sayde Jurors gaue trewe verdicte or no. And yf they fynde that the sayd petite iurie gaue an vntrewe verdicte, than every of the sayd petite iurie to forsaite. xx.li. wherof the one halfe shall be to the king our soueraygne lord, and the other halfe to the partie that sueth. And ouer that that every of the sayde petite iury shall seuerally make fyne and ransome by the discretion of the Justices, before whom the sayde false serement shall be founde after they seuerall offenders defaults and sufficientie of euery of the sayde petite Jurors. And after that, that those of the sayde petite iurie so atteynted shall neuer after be in any credence, nor they othe accepted in any courtes. And if suche ples as the parties pleadeth, whiche is a Barre of the sayde attayne, be founde or demed agaynste hym that so pleadeth than the parties that so sueth shall haue iudgement to be restored to that he losse with his reasonable costes and damages.

Excommen-
ment, **C** Forsewe alwaye that any outlary in action or cause personall, or excommen-
gement pleded or alleged in the parties plaintife or demaundant shall be taken but as boide plee, and so that he shall not be put to answer. And that in all the foresaide processeliche daye shall be given as in a wytte of Dower, and none ellopne or protection to lye nor to be allowed in the same. And if the saide graunde iurie appere not upon the firste distresse had agaynste them, so that the iurie for their defaute do remayne, he that makeih defaute shall forsaite to the kynge. xx. s. and upon the seconde distresse. xl. s. And after makinge defaute for every suche defaute. v. li. And like penalties and forsaitures to be agaynste them and every of them that shall be named in the Tales, as is also expressed agaynste every of the said graunde iury aforesaide. And that for and by the deathe of the parties or any of the saide petite iury, the saide attainte shall not abate nor be deferred agaynste

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against the remanente, as longe as two of the sayde petite Jurie be alive.
¶ And if hereafter any false verdict be given in any action sute or de-
 maunde afoze any Justice or Judge of recorde of any thynge parsonell
 as dette, trespass, and other lyke, whiche shall be vnder the value of .xl. li.
 that then the partie greued shall haue Atteynt with suche proces and pleges
 as is afoze reherfed, and delages to be taken away as is afoze remembred:
 Excepte that in this case of Atteynt euery person of the graunde iurie that
 may dispend. v. markes by the pere of freholde out of ancient demene, or
 is worth an hundred marke of goodes and cartails, shall be able to passe in
 the same Atteynt. And if the petite iurie be atteinted, that than they shal in
 this case of Atteynt euery of them to forsaite. v. li. wherof one halfe shall
 be to the kynge, and the other halfe to the partie, after the fourme afoze re-
 herfed: and ouer that to make fine and raunsome by the dyscretion of the
 Justices, as is afoze sayde.

Declarat.

¶ And if there be not persons of such sufficiencie within the shire or place
 where any of the sayd Atteyntes shall be taken, as may passe in the same:
 Be it ordeyned by the auctorite aboue sayd, that then one Tales shall be
 awarded into the shire nexte adioynnyng by the dyscretion of the Justices
 afoze whom the same Atteyntes shalbe taken, whiche shalbe warned to ap-
 peere vpon lyke peynes as is afoze sayde, and enabled to passe in the sayde
 atteyntes, as if they were dwellinge in the shire, where the same atteynthe
 shall be taken. And that the same lawes action and remedye ordeyned by
 this present acte be kepte for and to all them that shall be greued by su-
 che vnttrue verdictes of any inheritance, in discent reuercion remaindre, or
 of any freholde in reuertion or remainder. And if the partie in attaint gy-
 uen by his act be nonsuite, or the same discontinue, that then the same par-
 tie so nonsuite, or soo discontinuinge the sayd atteynthe make fyne and ran-
 some by the dyscretion of the Justices, afoze whom the sayde atteynthe shall
 be taken and dependynge.

Tales.

¶ And that all atteintes hereafter to be taken, shalbe taken afoze the kinge
 in his benche, or afoze the Justices of the common place, and in none other
 courtes, and that full prius shall be graunted by discretion of the Justi-
 ces vpon the distres, and euery of the sayd petit iury maye appere and an-
 swere by attourney in the sayd atteynt. And that the moortie of the sayd for-
 sature of the petite iurie shall be leuted to thuse of our soueraygne lord
 by Capias ad satisfaciend, or Fieri fac. or Elegit, or by action of dette a-
 penst euery persone of the petit iurie so forsaitynge, and apenst his execu-
 tours and administratours haunyng than sufficient goodes of their sayde
 testatour not administrad, and the other moortie shall by lyke processe be le-
 ued to the vse of the partie that sueth any attaint given by this act against
 euery of the sayde petit iurie and his executours, or administratours, ha-
 uynge than sufficiencie of goodes as is afoze sayde not administrad. And
 the iudgemente of restitution to the partye greued supnge this acte and
 execution

execution of the same to be had, and lyke iugement for the party defendant or tennant to be discharged of restitution as afore this present acte in case of a graunde attaint hath ben vied. And if there be dyuers ppyntifes or demandantes in attaynt, that the nonsuite or releffe, of any of them shall not be in any wise hurtful or prejudiciall to the residue, but that they and every of them in such cases maye be soyn and severed like as it is vied whan there be dyuers demandantes in actions real.

Be it also ordeyned & enacted by thautozite abovesaid, & in every wyse of Attaint hereafter to be taken by or upon this acte, the which shalbe such as other wyttes of Attaynt be, and after the Teste of the same wytt shall be wyrtten these wordes in latin: Per statum continual usgramum vicissimum terrarum domini Henr. octavi dei gratia Anglie et Francie regis, fidei defensoris, et domini Hibernie.

And it is also enacted, that this acte shall take effecte for verdictes hereafter to be gyven, and to continue to the last day of the nexte parlyamente.

Provided alwaye that this acte be not prejudiciall to a statute made in the .xi. yere of the late kynge of famous memoie Henry the .viii. for punishment of perjury in untrew verdictes gyven in playntes sued in the courtes of the citie of London, but that it shall be at the libertie of all persons for and upon any untrew verdict gyven in any courtes of the same citie, to sue they; Atteyne upon this estatute, or els upon the sayde estatute made in the sayd, xi. yere at they; owne pleasures and wylles.

An acte that no bytewers of beere or ale shall make they; barrells hylde; kyns nor fy; kyns within them, and howe moche the same barrells hylde; kyns and fy; kyns shal concerne. Ca. llii.

Be bytewers.
Be bytewers



Where the ale bytewers and beere bytewers of this realme of Englande have vied and daily do vse for their owne singular lucre pposite and gayne to make in theyr owne howses they; barrells hylde; kyns and firkings of moche lasse quantyte contente rate and allise than they oughte to be, to the greace hurte prejudice and damage of the kynges liege people, and contrary to dyvers actes statutes ancient lawes and customes heretofore made had and vied, and to the distruction of the poore crafte or mystrye of coupers. For reformation wherof be it enacted by the kyng our soueraygne lord, the lordes spirituall and temporall, and the commons in this presente parlyament assembled, and by auctorite of the same, that no beere bytewer nor ale bytewer, that shall bytewer to sale here or ale, shall from hensforth occupie by him selfe, nor by any other to his vse in his house nor els where the mystrye or crafte of coupers, nor make any barrils hylde; kyns fy; kyns or other vessels by hym selfe, nor by his or they; owne servants, whereby they shal put they; beere or ale to sale, but that all suche barrells hylde; kyns and other vessels of woode, wherewith they shall put they; beere or ale to sale, shall from

Coupers.

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from henceforth be made and marked, accordinge as hereafter shalbe expressed by the comen artificers of coupers, exercised and practysed in the sayde occupation, upon payne to forsaite and paye for every suche barrell kylderhyn syghyn or other vessell, hereafter to be made contrary to the tenour of this acte. *iii. s. iiii. d.*

¶ And be it also enacted, that every artificer of the craft or mistery of coupers, that wolle exercise or practyse to make any of the sayde vessels for bere or ale to be put to sale, shall make the same vessels and every of them of good and seasonable woode, and putte his propre marke upon every of them. And that every barrell for bere shall conterne. *xxvi. galons*, every kylderhyn for bere, *xviii. galons*, and every syghyn for bere, *nyne galons* of the kynges standarde galon. And that every barrell for ale shall conterne. *xxii. galons*, every kylderhyn for ale, *xvi. galons*, and every syghyn for ale, *viii. galons* of the kynges standarde galon, So that they shall be of good and iuste measure, or elles above and not vnder. And that no couper shall make any other vessell for bere or ale to be solde within this realme of any greatter or lesser nombze of galons than is above sayd, on-les he shal cause to be marked upon every such vessel, that he shall so make of greatter or lesser nombze of galons, the true and certayne nombze of as many galons as everye suche other vessell shall conterne, to the intent that every persone may knowe the content thereof.

Barrel of bere
ere and ale.

¶ And that no suche artificer of coupers, shall enhance the prices of any suche barreles kylderhyns syghins or other vessels, in the sale of them to any ale byewer or bere byewer or other person, but kepe the rates of suche prices as hereafter ensueth, and not above, upon payne to forsaite for every barrell kylderhyn and syghyn defectiue or enhanced in price, in any poynte contrary to this acte. *iii. s. iiii. d.* That is to say, for every bere barrell. *ix. d.* For every bere kylderhyn. *v. d.* and for every bere syghyn. *iii. d.* And the ale barrell. *xvi. d.* the ale kylderhyn. *ix. d.* and the ale syghyn. *v. d.*

¶ Also be it further enacted by the sayde auctorite, that no bere byewer nor ale byewer at any tyme after the feast of Lammas nowe next commynge, shall put theyr bere or ale to sale to any person or persones to be spent and occupied within this realme in any other barrells, kylderhyns, syghyns, or other vessels of woode, other than shall be made and marked by an artificer of coupers abovesayde, wherof every barrell for bere shall conterne and holde. *xxvi. galons*, every halfe barrell or kylderhyn. *xviii. galons*, and every syghyn. *ix. galons*. And every barrell for ale shall conterne. *xxii. galons*, every kylderhyn. *xvi. galons*, and every syghyn. *viii. galons* of full and iuste measure or above, and not vnder that measure. And that everye bere byewer and ale byewer shall not take ouer and above for everye suche barrell kylderhyn or syghyn of ale and bere, but after suche prices and rates as shall be thought convenient and sufficiente by the discretions of the Justices of peace, within everye shyre, where suche bere byewer and ale

Justices of
peace

B

byewer

ANNO VICESIMO TERTIO.

brewer shall dwell without any citie borough or towne corporate, where no head officers, as mayors bayliffes shuyffes and other head officers haue none auctoritie nor rule, and in euery citie borough and towne where there be mayors shuyffes or other head officers, the same rates and pyces to be named and cessed by them and euery of them by theyr discretions. And that the sayd ale brewers or bere brewers at any tyme hereafter shall not sel their bere nor ale at any hygher rates or pyces than shall be to them assigned after the fourme aboue rehearsed, vpon payne to lose and forsaite for euery barrel so put to sale contrary to this estatute. vi. s. for euery halfe barrel or kilderkyn. iiii. s. iiii. d. and for euery fyghyn. ii. s. and for euery vessell conteynyng greater numbere of galons. i. s. and for euery other vessell conteynyng lesser numbere of galons. xii. d. The one halfe of all the whiche penalties and forsaitures to be to the kynge our soueraygne lord, and the other halfe to hym that will sue for the same, by action of dette byll playne or information in any of the kynges courtes, in whiche action and sute the defendaunt shall not wage his lawe, nor any essoine, protection or privilege to be admitted.

Sope makers.

Barrell of sope,

wardynes of coupers.

¶ Be it also further enacted by the sayde auctorite, that all maner of sope makers within this realme of Englande, whiche shall put to sale any sope by barrell halfe barrell fyghyn or other vessell, shall frome Lammas nowe next comming make or cause to be made theyr barrells halfe barrells fyghyns and other vesselles, accoꝝdunge to the rates contentes weyghtes and assyses of olde tyme vsed and accustomed, that is to saye, euery empty barrell to holde and conteyne .xxxi. galons or aboue, and to be in weyghte .xxvi. poundes, and not aboue, of full and iuste measure: and euery halfe barrell empty to be in weyghte .xiii. li. and not aboue, and to holde and conteyne sytene gallons or aboue: and euery fyghyn empty to weye syxe poundes and an halfe and not aboue, and to holde and conteyne eyght galons or aboue, vpon payn of forsaiture for euery suche barrell halfe barrell fyghyn or other vessell hereafter to be made had or vsed contrary to this acte. iiii. s. iiii. d.

¶ And also be it enacted by the auctoritie afoze sayde, that the wardynes of the occupation or mysterie of coupers within the cytye of London frome henseforthe at all tymes hereafter whan they shall thynke conueniente and expedyente, takynge with theym an officer of the mayres, shall haue full power and auctoritie by vertue of this acte, to seeche vicwe and gage all maner of such barrells kilderkyns fyghyns and other vesselles to be made or occupied for ale bere or sope, to be putte to sale within the citie of London and suburges of the same, and within two myles compass without the same suburges, to byewe and se that the same barrells kilderkyns, fyghyns, and other vesselles, as well within lyberties as withoute, be made and marked well and sufficiently, and beare and conteyne theyr true contentes rates and measures, accoꝝdunge to the effecte of this estatute: And also to marke euery suche barrell kilderkyn fyghyn and other vessell by theym so

biewed and gaged, bearynge and conveyinge their true contentes, with the signe and token of a saynt Antonies crosse. The same wardens to haue for the serche and gaginge of every suche barrell kylderkyn furkin and other vessell by them so serched biewed gaged and marked, one serchyng, and not above, of the owners or makers of the saide vesselles. And shall and maye haue auctoritie by vertue of this acte to receyve every suche vessell as they shall so gage serche and marke, vnto suche time as they shall be satisfied therof. And in case they shall fynde any of the saide vesselles defectiue, not bearynge their true contentes, that than by auctoritie of this acte, they may sease take and receyve every suche vessell, and cause the same to be marked or amended, accordyng to the true contents, or elles cause the same to be byrenned. And also the partie owner of suche vessell to lose and forsaite for every suche vessell, not beinge of the full contentes after the rate about expressed. xii. s. to be recouered and employed as is about saide.

¶ And be it further enacted by the saide auctoritie, that in all other cities boroughes and townes, wherein no suche wardens of coupers be, that the maye, shreffes, bayliffes, constables, or other heade officers in suche cities boroughes and townes, shall haue power and auctoritie to serche byewe and gauge all suche barrells kylderkynnes spykynnes and other vesselles to be made hereafter in any suche city borough or towne, and to haue and take all such auantage thereby, and in like maner and fourme as the wardens of coupers within the cite of London or other persons by this acte shulde or maye haue or take on every behalfe.

Heade officers.

¶ Doubted alwayes, that every here byetwer maye kepe in his house one or two seruantes of the misterie or crafte of coupers, to houe and amende his barrells kylderkyns spykyns, and other vesselles, wherein they shall put their here to sale from tyme to tyme, this act or any thinge therein conteyned to the contrary in any wise notwithstandinge.

¶ And be it further enacted by the saide auctoritie, that if any personne at any tyme after the saide feast of Lammes nexte comminge, doo minishe or cause to be minisshed any maner of barrell kylderkynne or spykyn, to the deceite of any the kynges subiectes, by reason of takinge oute the heade of any suche vessell, or takynge out of any staffe out or from any suche vessell, that then every suche vessell to be byente, and the offendoure to forsaite for every suche offence. iii. s. iii. pens. the one moptye therof to be to the kyng oute soueraigne lord, and the other moptye therof to hym or theym of the kynges subiectes that wolle sue for the same, to be recouered in maner and fourme aboute rheresed. And the partye soo offendynge to be further punished by the discretion of the head officer or officers, befoze whome suche defaute shalbe presented.

¶ It is enacted by auctoritie of this presente parlamente, that not withstandinge any thinge conteyned in this acte of Byetwers and Coupers, whiche into this Acte is annexed, hit shall be lesfull to euery ale-

B. ii.

byetwer

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Compositio
mensurarum

betwixt mentioned in the same acte, to haue and retaine in his seruyce one personne of the misterie or crafte of coupers, to exercise in his seruyce the crafte of a couper, onely in byndynge bouppng & pynnyng his maysters ale vesselles excised by the saide acte and in none otherwise to vse or exercise any makynge of vesselles concernynge the crafte or mysterie of a couper, whyles that he is in the seruyce of any ale brewer. Also it is enacted, that euery couper, whiche hereafter shall make any ale vessell specified in the saide acte, shall from the feast of Penthecoste nexte commynge make euerye suche vessell accordeynge to the assyse specified in the treatyse called Compositio mensurarum, that is to saye, euery barri for ale shall conteyne. lxxii. galons of the saide assyse or aboue, of the whiche eyghte galons make the common busshell to be used in this realme of Englande, euery kylderkyn for ale, xvi. galons of the saide assyse or aboue, and euery sykyng eyghte galons of assyse or aboue, vpon payne of forfaiture of. iii. s. iiii. d. for euerye of the same vesselles by him vntreuely made contrary to this acte: the one halfe of the same forfaiture to be to the hynge, and the other to hym that wyll sue for the same by action of dette byll playnte wrytte or otherwise: In whiche action none esoyne protection or wager of lawe shall be allowed.

Gaugynge.

Honourable
mays houses.

And be it also enacted, that euery couper marke his vessell with his owne marke, vpon payne of. iii. s. iiii. d. to be leuyed and recouered after lyke maner and fourme as is aboue saide. And that no maner of person in the serch makynge for the true gaugynge of any suche vesselles, shall put out the ale of any suche vessell, wherby the same ale shall be the worse. And that it shall be lausfull to euery ale brewer to bynng carpe and cause to be broughte and carped theyr ale to the householden of our soueraygne lord the kynge, the queene, the princes, and to euery archbishoppes, bisshoppes, Dukes, marchesses, Ecles. barons, or other honourable mennes houses in tonnes butts pypes hoggetheades, or other vesselles of greater or larger quantite than is expessed in this present acte, as befoze tyme hath ben used in that behalf. And also it shall be lefull to the saide ale brewers, to bynng carpe or cause to be broughte conueyed or carped, theyr ale to euery mans hoirse in barelles kylderkyns and sykyngs bearynge and holdynge their trewe contentes accordeynge to the purpoyte and effecte of this presente acte, any thinge conteyned in the same acte to the contrary herof notwithstandinge.

C A generall acte concerninge commissions of sewers to be directed in all parties within this realme. Cap. v



Our soueraigne lord the kynge lyke a vertuous and moste gracious prince, nothynge earthly so hyghly weyng as the aduancement of the common prosypte welch and commoditie of this his realme, considering the dayly greate damages and losses whiche haue happened in many and dyuers parties of this his saide realme,

as well

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as well by the reason of the outrageous flowinge surges and course of the sea, in and vpon marthe groundes & other lowe places heretofore throughte polypke wisdomes won and made profitable for the great common welthe of this realme, as also by occasion of lande waters and other outrageous springes in and vpon meadowes pastures and other lowe groundes adioynynge to ryuers, fluddes, and other water courses: And ouer that by and through milles mildammes weres fyllhagathes hebbels goyes gates fludgates lockes and other impedimentes in and vpon the same ryuers and other water courses, to the insupportable damages of the common welthe of this realme, whiche dayly is likely more and more to increase, onelesse speedy redresse and remedy be in this behalfe shortly prouided: wherein al be it that euers and many prouisions haue ben before this tyme made and ordeined yet none of them are sufficient remedye for reformation of the premises, hath therfore by delibérate aduyse and assente of his lordes spirituall and temporell, and also his louinge commons in this presente parlyamente assembled, ordeyned established and enacted, that commissions of Sewers and other the premises, shall be directed in all parties within this realme from tyme to tyme, where and whan nede shall requyre, accordynge to the maner fourme tenoure and effecte hereafter ensupnge, to suche substantiall and indifferent persons as shalbe named by the lord Chauncellour and lord Treasourer of Englande, and the two chiefe Iustices for the tyme beinge or by thye of them, wherof the lord Chancellor to be one.

Whiche was
act. 21

Sewers;

Henry the. viii. &c. Knowe ye that for as moche as the walles dyches bankes guttures sewers goyes calceis byddges streames and other defences by the costes of the sea, and marthe grounde beinge and lyenge within the lymittes of I. B. or C. in the countie or counties of
or in the borders or consynes of the same by rage of the sea, flowynge and retlowynge, and by meane of the trenches of frellhe waters, dyscendynge and hauynge course by dyuers wayes to the sea, be so dirupte lacerate and broken: And also the common passages of shippes ballengers and botes in the riuers streames and other fluddes within the lymittes of I. B. or C. in the countie or counties of
or in the borders or consynes of the same, by meane of settinge vpp erectynge and makynge of streames mylnes byddges pondes fyllhagathes mildammes lokkes hebbynge weares hebbes and fludgates or other lyke lettes impedimentes or anoyssaunces be letted and interrupted, so that greate and insupportable damage for defaute of reparation of the sayde walles dyches bankes fences sewers goyes guttures calceis byddges and streames: And also by meane of settinge vpp erectynge makynge and enlargynge of the sayde fyllhagathes mildammes lockes hebbynge weares hebbes fludgates and other lyke anoyssaunces in tymes passe, hath happened, and yet is to be feared, that farre greater hurte losse and damage is like to ensue, onelesse that speedy remedye be prouided in that behalfe.

B. iii.

200

ANNO VICESIMO TERTIO.

We therfore for that by reason of our dignitie and prerogatyue royall we be bounde to provide for the safetye and preservation of oure realme of Englande, wyllynge that speedy remedy be had in the premises, have assigned you and syre of you, of the whiche we wolle that J. B. and C. shall be three, to be our Justices, to suruey the said wals streames ditches bankes gutters sewers gotes calceis byddges trenches milles myldammes fludgates poudes lockes hebbing weares and other impedimentes lettes and annoyances afore saide, and the same cause to be made corrected repayred amended put downe or reformed, as case shall requyre after your wisdomes and discretions. And therein as well to ordeyne and do after the fourme tenour and effecte of all and synghular the estatutes and ordynaunces made before the fyrste day of Marche the. xxiij. yere of our reigne, touchynge the premises or any of them, as also to enquire by the othes of the honest and lawfull men of the sayde shire or shires place or places, where suche defautes or annoyances be, as wel within the liberties as without (by whom the trowth may the rather be knowen) throughte whose defaute the saide hurtes and damages haue happened, and who hath or holdeth any landes or tenementes or common of pasture or profite of fishynge, or hath or may haue any hurte losse or disaduauntage by any maner of meanes in the saide places, as wel nere to the said daungers lettes and impedimentes, as inhabitynge or dwellynge there aboutes by the saide walles ditches bankes gutters gotes sewers trenches and other the sayde impedimentes and annoyances. And all those persons and euery of them to take assesse charge distreine and punishment as well within the metis, lymittes, and boundes of olde tyme accustomed or otherwyse, as els where within our realme of Englande, after the quantyte of theyr landes tenementes and rentes by the number of acres and perches, after the rate of euery personnes portion tenour or profite, or after the quantyte of theyr commune of pasture or profite of fishynge or other commodites there by suche wayes and meanes & in such maner and fourme, as to you or. vi. of you, wherof the sayde J. B. and C. to be three, shall seme moste conuenient to be ordeyned and done for redress and reformation to be had in the premises: And also to resourne repayre and amende the saide walles ditches bankes gutters sewers gotes calceis byddges streames and other the premises in all places nedefull: and the same as often and where nede shall be to make newe, and to clense and purge the trenches sewers and dyches in all places necessaie, and further to resourne amende prostrate and ouerthrowe all suche milles streames poudes lockes fysshegarthes hebbynge weares and other impedimentes and annoyances afore sayde, as shall be founde by inquisition or by your surueynge and discretions to be excessiue or hurtfull. And also to depute and assigne diligent faithfull and true keepers bayliffes surueyours collectors expenditours and other ministers and officers for the sauetye conservation reparation reformation and makynge of the premises and euery

Byddges.

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very of theym, and to here the accompte of the collectours and other my-
 nisters of and for the recepte and lpenge out of the money that shall be le-
 ued and payde in and aboute the makynge repayynge refoymynge and
 amendynge of the sayde walles dyches bankes gutters gotes sewers cal-
 ceis byddges streames trenches mylnes pondes lockes fyllhegathes flud-
 gates and other impedimentes and annoyances afoze sayd. And to
 distreynne for the arerages of euerye suche collection take or assesse as of-
 ten as shall be expediente, or other wyse to punyshe the dettours and de-
 teryners of the same by fynes amerciamentes peynes or other lyke meanes
 after your good dyscretions. And also to arreste and take as many cattes
 hoxses oren beastis and other instrumentes necessarye, and as many worke
 men and labourers as for the said woikes and reparation shall suffice, paye
 enge for the same competent wages salarpe and styppende in that behalfe:
 And also take suche & as many trees woodes vnderwoodes and tymbre &
 other necessaryes as for the same woikes and reparations shall be sufficy-
 ent at a reasonable prync by you or syre of you, of the whiche we wyll that
 A. B. and C. shalbe thye, to be assessed or limited as wel within the limittes
 and boundes afoze sayde, as in any other place within the sayde countie or
 countyes nere vnto the sayde places. And to make and ordeyne statutes
 ordinaunces and prouysons from tyme to tyme as the case shall require
 for the sauegarde conseruation redress correction and refoymation of the
 premysles and of euery of them, and the patties lpenge to the same neces-
 sarpe and behouefull, after the lawes and customes of Romney marshes Romney
marshes.
 in the countie of Kente or otherwyse by any wayes or meanes after your
 owne wysedomes and discretions. And to here and determyne all and sin-
 gular the premysles, as well at our suite as at the suite of any other, what so
 euer complaynyng befoze you, or vi. of you, whetof A. B. and C. shalbe
 thye, after the lawes and customes afozesayde, or other wyse by any other
 wayes and meanes after your discretions. And also to make and direct all
 wyttes preceptes warrantes or other commaundements by vertue of these
 presentes, to all shireffes baylyffes and all other mynisters officers and
 other persons, as well within lyberties as withoute, befoze you or syre of
 you, whetof the sayde A. B. and C. to be thye, at certayne dayes termes
 and places to be prefixed, to be returned and receyued. And further to con-
 tinue the proces of the same, and fynally to doo all and euerye thyng and
 thynges, as shall be requisite for the due execution of the premysles by all
 wayes and meanes after your discretions. And therfoze we commaunde
 you, that at certayne dayes and places, whan and where ye or syre of you,
 whetof the sayde A. B. and C. to be thye, shall thynke expedient, ye do sur-
 uey the sayde walles fentes dyches bankes gutters gotes sewers calceis
 pondes byddges riuers streames water courtes mylnes lockes trenches
 fyllhegathes fludgates and other the lettes impedimentes and annoyances
 afoze sayd, and accomplished, fulfill here and determyne all and syngular
the

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the p[re]misses in due fourme and to the effecte afoze sayde, after your good discretions: And all suche as ye shal fynde neglygent gapnysing or rebel-lynge in the sayde workes reparations or refo[r]mation of the p[re]misses, or neglygent in the due execution of this our Commission, that ye do compel them by dyscreete fynes and amerciamentes, or by other p[ro]p[er] remedies wayes or meanes, whiche to you or syre of you, wherof the sayde A. B. and C. shal be thye, shal seme most expedient for the speedy remedy redress and refo[r]mation of the p[re]misses and due execution of the same. And all suche thynges as by you shal be made and ordeyned in this behalfe, as wel with in lyberties as without, that ye doo cause the same spemy to be observed, doing therein as to our Justices apperteyneth after the lawes and statutes of this our realme, and accordyng to your wysdomes and discretions.

Shyre.

Saved always to vs suche fynes and amerciamentes as to vs therof shal belonge. And we also commaunde our shyreffes or shyreffes of our sayde countie or counties of

that they shal cause to come before you or syre of you, of the whiche A. B. and C. shal be thye, at suche dayes and places as ye shal appoynte to them, suche and as many honeste men of his or theyr barlywycke, as wel within the lyberties as without, by whome the trouthe may best be knownen, to inquire of the p[re]misses, Com-mandyng also all other ministers and officers, as wel within lybertie as without, that they and euery of them shal be attendante to you in and a-boute the due execution of this our commission. In wytnesse wherof we haue caused these our letters patentes to be made. Wytnesse our selfe at Westm[on]st[er] the daie of in the yere of our reygne.

*Commissio-
ner.*

And it is also enacted, that euerye suche person as shal be named Com-missioner in the sayde Commission, after he hath knowledge therof, shal effectually put his diligence and attendance in and about the execution of the sayde Commission. And before he shal take vpon hym the execution of the sayd commission, he shal take a co[r]p[or]all othe before the lord Chaun-celer, or before suche to whom the sayde lord Chauncelour shal dyrecte the kynges wytte of *Verimus potestatem*, to take the same, or before the Justices of the peate in the quarter sessions holden in the shire wheree suche commission shal be directed: the tenour of whiche othe hereafter ensueth.

*Chauncello[r]
of England.*

Ye shal sweare, that you to your cunnyng wytte and power shal true-ly and indifferently execute the auctorite to you pouen by this Commission of Sewers withoute any fauour affection corruption brybe or malice to be borne to any maner personne or personnes: And as the case shal require ye shal consent and endeavour your selfe for your parte to the best of your knowledge and power to the makynge of suche hollowe iuste equal and indifferent lawes and ordynances as shal be made and byuiled by the most discrete and indifferent nomb[er] of your felowes being in commission with you for the dewe redress refo[r]mation and amendement of all and euerye suche thynges, as are contayned and specified in the said Commission: And the same

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the same lawes and ordinaunces to your cunnynge wytte and power cause to be put in due execution, without fauour made byr malice or affection, as god you helpe and all sayntes.

¶ And it is also enacted by the auctoritie afoze sayde, that all and euerye statute acte and ordinaunce heretofore made concernynge the prymples or any of theym, as well in the tyme of our soueraygne lord the kynge that now is, as in the tyme of any of his progenytours kynges of this realme of Englande, not beinge contrary to this presente acte, nor heretofore repelled, from henceforth shall stande and be good and effectuell for ever, and to be put in due execution accordynge to the trewe meanynge and purpotes of the same.

¶ And ouer that be it enacted, that the commissioners hereafter to be named in any of the sayde Commissions, accordynge to the purpote and effecte of the same commissions, haue full power and auctoritie to make constitute and ordeyne lawes ordinaunces and decrees, and further to doo all and euerye thyng mencionyd in the sayde commission accordynge to the purpote effecte wordes and trewe meanynge of the same. And the same lawes and ordinaunces so made to reforme repelle and amende, and make newe frome tyme to tyme, as the cases necessary shall requyre in that behalfe.

¶ It is also enacted, that if any person or persons being assessed or taxed to any lot or charge for any landes tenementes or hereditamentes within the limittes of any commission here after to be directed, do not paye the sayde lotte and charge accordynge to the ordynance and assignement of the Commissioners, hauinge power of the execution of the sayde commission. By reason wherof it shall happen the sayde Commissioners, hauinge power of execution of suche Commission, for lacke of paymente of suche lotte and charge to decree and ordeyne the same landes tenementes and hereditamentes from the owner or owners therof and theyr heires and the heires of euery of them, to any personne or personnes for terme of yeres, terme of lyfe in fee simple or in taylor, for paymente of the same lotte and charge, that then euerye suche decree and ordynance so by them made ingrossed in parchement, and certified vnder theyr scales in to the kynges courte of Chauncery, with the kynges royall assente had to the same, shall bynde all and euerye person and persones, that at the makinge of the same decree had any interest in suche landes tenementes or hereditamentes in hys possession reuertion or remaindre, theyr heires and feoffes and euerye of theym. And not to be in any wyse reformed, ones it be by auctoritie of parlyament hereafter to be somoned and holden within this realme.

¶ And also it is prouyded by auctoritie afoze sayde, that the same lawes ordynances and decrees to be made and ordeyned by the sayde commissioners or syxe of them by auctoritie of the sayd commission, shall bynde as well the landes tenementes and hereditamentes of the kynge our soueraygne lord, as all and euerye other person and persons and theyr heires for suche their interest

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Interest as they shall fortune to haue or may haue in any londes, tenementes, or hereditamentes or other casuall profyte, aduantage or commodity what so euer they be, wher vnto the sayde lawes or denances and decrees shall in any wise extende, accordyng to the true purpote meynynge and intent of the same lawes.

¶ And it is furthermoze by the auctoritie afoze sayde establisshed and enacted: that if any maner of person or persons, of what estate or degree so euer he or they be of, that frome hensforth dothe take vpon hym or them to sette by vertue of any the sayde Commissions, not beyng befoze sworne in forme as is afoze sayde, and accordyng to the tenoure of the othe afoze specified: or if any person so named and sworne do sette, as is afoze saide, not hauynge londes and tenementes or other hereditamentes, in fee simple fee taylor or for terme of lyfe to the clere yerely value of .xl. markes aboue al charges to his owne vse, except he be resiant and free of any cite borough or towne corporate, and haue mouable substance of the clere value of one hundred poundes, or els be lerned in the lawes of this realme, in and concernynge the same, that is to saye, admitted in one of the four pyncypall Innys of courte, for an vtter barrestre, shall forsayte fourtye poundes for euery tyme that he shall attempte so to do: The one halfe therof to be to oure soueraygne lord the kynge, and the other halfe therof to the vse of hym or them that wll sue therfoze by action of dette byll playnte or information in any of the kynges courttes: in whiche action or sute noo wager of lawe shall be admitted, nor any esoyne or protection shall be allowed.

¶ And if any action of trespass or other supte shall happen to be attempted agaynst any person or persones, for takynge of any distresse, or any other acte doynge, by auctoritie of the sayde commission, or by auctoritie of any lawes or ordynances made by vertue of the sayde Commission, the defendant or defendantes in any suche action, shall and maye make aourie countenaunce or iustification for the takynge of the same distresse or other acte doynge, touchynge the pmisses or any of them allegynge in suche aduourty countenaunce or iustification, that the saide distresse, trespass, or other acte, wherof the pleyntife compleyneth, was done by auctoritie of the commission of Sewers for lotte or tace assessed by the sayde commission, or for suche other act or cause, as the sayd defendant dyd by auctoritie of the sayd Commission, and accordyng to the tenour purpote and effecte of this present acte, made the. xiii. yere of the regne of our soueraygne lord kynge Henry the. viii. withoute any expellynge or rebetfall of any other matter or circumstance conteyned in this present acte, or any commission lawes estatutes or ordynances therupon to be made, wherupon the pleyntife shall be admitted to reple, that the defendant dyd take the sayde distresse or do any other acte or trespass supposed in his declaration of his owne wronge withoute any suche cause alleged by the sayde defendant, wherupon the issue in euery suche action shall be iornd to be tryed by verdyct of. xii. men,

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men, and not other wise, as is accustomed in other personall actions. And vpon the tryall of that issue the holle matter to be gyven on bothe parties in euidence, accoꝝdinge to the verye tꝛouth of the same.

And after suche issue tryed foꝝ the defendaunt oꝝ nonſure of the pleintiffe after apparance, the ſame defendant to recouer treble damages by reaſon of his wꝛongefull beꝛation in that behalfe, with his coſtes alſo in that parte ſuſteyned, and that to be aſſeſſed by the ſame Jury, oꝝ wytte to enquire of damages, as the cauſe ſhall require.

¶ And it is alſo enacted, that euery of the ſaide commiſſioners ſhall haue and perceyue foure ſhillinges foꝝ euerye daye that they ſhall take payne in the execution of this commiſſion of Sewers. And one clerke by them to be aſſigned. ii. ſhillinges foꝝ euerye daye, of the rates taxes lottes and waynes that ſhalbe aſſeſſed oꝝ loſte by auctoꝝitie of the ſayde Commiſſion, and to be leuyed and payde by theyꝝ diſcretions. And that the ſaide commiſſioners, oꝝ ſyre of them ſhall haue power and auctoꝝitie to lymytte and aſſygne of the ſame rates taxes lottes and waynes by their diſcretions ſuche reaſonable ſummes of money to the ſayde clerke foꝝ wytyng of bookes and pꝛoces concerninge the pꝛemiſſes, and to the collectours expendytours and ſuche other as ſhall take payne in the due execution of the ſayde commiſſion, as by the diſcretions of the ſayde commiſſioners oꝝ ſyre of them ſhall be thoughte reaſonable.

¶ It is ordeyned alwaies, that whan ſo euer and as often as ſuche commiſſion, as is afoꝛe lymytted, ſhalbe made and directed to any perſon oꝝ perſons foꝝ the refoꝛmation and amendement, of oꝝ in any of the pꝛemiſſes ſpecyfyed in the ſaide commiſſion within the fees lyberties oꝝ poſſeſſion of the Duchye of Lancaſter, that thanne ſuche commiſſioners, as ſhall execute any ſuche Commiſſion ſhal be alwaies named and appoynted by the diſcretion of the loꝛde Chauncellour and loꝛde Treasourer of Englande, and the ſayde two chiefe Juſtices of eyther bench, and the Chauncellour of the ſaide Duchie foꝝ the tyme beinge, oꝝ thꝛee of theym, wherof the ſaide loꝛde Chauncellour and the Chauncellour of the Duchye to be two. And that in euery ſuche caſe two commiſſions ſhall be aſſeſſed and made accoꝝdinge to the tenour of the commiſſion aboue expꝛeſſed, one therof vnder the greate ſcale of Englande, and the other vnder the ſcale of the ſame Duchye, as befoꝛe tyme hath bene accustomed, any thinge afoꝛe reherſed in this pꝛeſente acte to the contrary hereof notwithstandinge.

Duchye of
Lancaſter.

¶ And it is further enacted, that the ſaid commiſſions from tyme to tyme, as the caſe ſhall requyre, ſhall be hadde and obteyned withoute any money oꝝ other charge to be payde foꝝ the ſcales oꝝ wytyng of the ſame, oneleſſe it be to the kyng. ii. ſ. vi. d. foꝝ the ſcale of euery Commiſſion, as hath be accustomed: And foꝝ the wytyng and entollyng of any one Commiſſion v. ſ. and not aboue.

Commiffion
of ſewers.

¶ And it is further enacted, that euery commiſſion to be made by auctoꝝitie of

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rittle of this acte, shall endure and continue for the terme of thre yeres nexte after the Teste of the Commission. After the lesse after any commission made and delivred out of the kynges courte of Chauncery, the kynges highnes shall alwayes at his pleasure by his writte of Superfediis, out of his saide courte of Chauncery, at any time discharge as well every suche commission, as every commissioner that shall be made or named by auctoritie of this acte. After whiche discharge the sayde commissioners shall have no power, nor auctoritie to procede in the execution of their commission, nor in any thyng by auctoritie of this acte.

Superfede.
as.

¶ Provided alwayes that suche lawes actes decrees and ordinaunces as shall happen to be made by the sayde commissioners, accordinge to the tenor of their commission or by auctoritie of this acte, shall stande good and effectuell and be put in due execution so longe tyme as their commission endureth and no longer: Except the saide lawes and ordinaunces be made and ingrossed in parchment, and certyfied vnder the seales of the sayde commissioners into the kynges courte of Chauncery, and than the kynges royall assent be had to the same: any thyng conteyned in this present acte to the contrary hereof not withstandinge.

Wales,
Chester,
and the
countie of
Palantyne.

¶ Provided also that whan so ever and as often as such commission as is aforesaid limited, shall be made and directed to any personne or personnes for the reformation and amende of or in anye of the premises specyfied in the saide commission within the fees liberties and possessions of the principallitie of Wales, the countie Palantyne of Chester, or within the fees liberties and possessions of any other place, where there is libertie and iurisdiction of countie Palantyne, that in every such case the commissions shall be awarded and made, accordinge to the tenour of the commission above expressed, one therof vnder the greatesse scale of Englande, and the other vnder the vsuall scale of the countie Palantyne in maner and fourme as is above provided for the duchie of Lancaster, any thinge aforesaid rehearsed in this present acte to the contrary not withstandinge.

Princ. scale.

¶ And it is provided and also enacted, that the royall assent limited to be had vnto the lawes and ordinaunces to be made by the sayd commissioners, as is above sayde, shall be certyfied into the saide courte of Chauncery vnder the kynges princ. scale: And that there shall not any sum of money be payde for the same princ. scale, but for the writtinge of the same Certificat vnder the said princ. scale, shall be payde to the wyrtter therof .ii. s. and not above, nor no other nor greater summe for any thing touchinge or concerninge the same certyficat vnder the same princ. scale.

Chauncery
court.

¶ Provided alwayes that the chauncellours and suche other as shall have the custodie of the seales of the saide principallitie of Wales, or the countie Palantyne of Chester, or within the fees liberties and possessions of any other place, where there is libertie and iurisdiction of countie Palantyne, vpon reasonable request, and vpon the syght of the commission vnder the
kynges

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kinges great seale of his Chauncery, shall without delaye make oute an o-
ther commission vnder the seale of the sayde countye palantyne, accordyng
to the tenor of the kynges commission to them shewed vnder his great seale.
And to those commissioners as shall be named by the loyde Chauncelloure,
loide Treasourer and the two chiefe Justices, or by thye of theym, wherof
the loide Chauncelloure to be one, excepte it be within the fees and liberties
of the duchie of Lancaster, within whiche fees and liberties the commissi-
oners shall be named and commissions made, as is afoze ordeyned by this
acte, any thinge conteyned in the saide acte, or in any prouision there vnto
added and annexed, to the contrary therof not withstandinge. This acte to
endure for. xx. yeres.

¶ An acte concerninge befoze whome recognisaunces of dettes shalbe
made, and the fourme of the obligation. Cap. vi.

IN as moche as the mayres of the Stapull in dyuers places
of this realme, where any Stapull is kepte, in the ptesence of the
constables of the same Stapull, befoze this time hath and might
lawfully take recognisaunce or knowledg for dettes, onely con-
cernyng and touchyng the marchaundise of the same Stapull, betwixte
marchaunt and marchaunte of the same Stapull, accordyng to diuers lau-
dable estatutes and prouisions befoze this tyme hadde ordeyned and made.
Whiche mayres and constables many and sondre tymes syns the makyng
of the same statute haue taken dyuers recognisaunces and knowledges
of dyuers of the kynges subiectes for dettes, summysyng the same know-
ledge or recognisaunces to be made for suretie of paymente of summes of
money for such wares as were or benne boughte in the same Stapull:
whereof trouthe the same recognisaunce dyd not in any wise touche or con-
cerne the marchaundise of the same, ne also the parties, that is to saye, the
cognisor ne the cognisee, that did knowlege and take the same recognisaun-
ces, were marchauntes of the same Stapull: whiche recognisaunces and
knowleges taken in fourme afozesaide are not onely clere contrarie to the
trewe meanyng and intente of the same former estatutes, but also thereby
dyuers great and sundre inconueniences damages and deceites doo dayly
ryse and growe to diuers of the subiectes of our soueraigne loide the kinge,
by reason of the misusyng of the same. And for as moche as the kynges
highnes of his moste highe wisdom perceyuethe the misusyng and executi-
on of the same to be contrarie to the fourme of the saide former estatutes,
therfoze his pleasure is, that some trewe lawefull and reasonable bonde
for suretye of paymente of the sayde dettes of his subiectes shall be made
and deuyed by trewe and iuste meanes, which in it selfe maye and shal pur-
porte right and equitte, and also consonant to reason.

¶ In consideration wherof, by thassent of the kynges highnes, his loy-
des spirituall

Staple

Recognised
Mayre and
constables of
Staple,

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**Chiefe Ju-
stices.**

**Member of
London.**

des spirituall and tempozall, and his commons in this p[re]sent parliament assembled and by the auctoritie of the same, it is enacted ordeyned and esta-
blished, that from the firste day of Aprill next comminge, the chiefe Justice
of the kynges bench, and the chiefe Justice of the common place whiche
nowe be o; at any tyme hereafter shall be, and euerye of them by hym selfe,
and in their absence out of the terme, the wayze of the Stapull at westminster
and the recorder of the citie of London so; the time being, loynly togithers
by his o; they; discretion, shall haue full power & auctoritie to take recog-
nissances o; knowleges of euery of the kynges subiectes, so; the payements
of dettes, acco;dinge to suche soyme as hereafter ensueth.

*Ad Nouerint uniuersi per presentes me A. B et D. C. armig. teneri et firmiter obligari Iohannem
at-Style in C. li. sterling. solvendum eidem Iohanni aut suo exel-attorn, hoc scriptum ostend, be-
red, uel executor, sub in tal. se, &c. proxi. futur. post dat presentium, Et si deficero uel de-
ficerimus in solutione debiti predicti, uolo et concedo, uel sic, Volumus et concedimus, quod tunc
curat super me, heredes et executores meos, uel super nos et quemlibet hered. et executores no-
stros pena in statuto Stapule de debitis pro marchandisi in eadem emptis recuperand. ordinat et
provis. Dat tali die Anno regni regis, &c.*

Obligation.

Seale.

And that euerye obligation that shall be made, as is afoze sayde, and
knowleged befoze any of the sayde chiefe Justices, o; the sayde mayze and
recorder, acco;dinge to this acte, shall be sealed with the scale of the par-
tie o; patties, that shall recognise o; knowlege the same, and also with su-
che scale as the kynges highnes shall ordeyne and appoynte so; the same,
and with the scale of one suche of the sayde Justices, o; with the scales of
the saide mayze and recorder, and with his o; they; name o; names subscri-
bed, that so shall take the same recognysaunce o; knowlege. And that euery
of the sayde two Justices, and the sayde mayze and recorder shall haue the
custodpe of one suche scale by the kynges highnes to be appoynted, with
one lyke print scripture and falcion, whiche shall seuerallge remayne with
them, to thintent aboue reherced.

Enrolment.

And further be it enacted by the auctoritie afozesaide, that such an honest
and discrete person, as shall be assigned by the kynges highnes, o; the suf-
ficient deputye o; deputies of the same person so to be assigned shall make
and wyte all suche obligations, as shall be knowleged and recognised by
auctoritie of this acte, and shall cause the same obligations recognysed
and knowleged in fourme as is aboue sayde, to be entolled in two seuerall
rolles indented, wherof one shall remayne with suche of the sayde Justy-
ces, o; with the saide mayze and recorder, that so shall take the same recog-
nissances in fourme afozesaide, and the other rolle with the wyter therof, ap-
poynted so; the same. And that the saide person by the kynges highnesse to
be appoynted so; makynge wytyng and entollinge suche obligations,
o; his sufficient deputye o; deputies, shall be dwellinge o; abydinge in the
saide citie of London, byppon payne to forsaite so; euerye tyme that he and
his de;

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his deputie shall be absent by space of two dayes, ten poundes.

¶ And further it is enacted by auctoritie aforesaide, that the saide person so to be assigned by the kinges highnes to write and make and enrol such obligations of his sufficient deputie or deputies, at the requeste of the credytours their executours or administratours shall certifie suche obligations as shall be taken and recognised by auctoritie of this acte, in to the kinges court of Chancery vnder the seale of the sayde person so to be appointed for writinge makynge and entollynge such obligations. And that euery person and persons, to whom any suche obligation shall be made knowleged and enrolled (as is aforesaide) they executours and administratours, and the executours and administratours of euery of them, for defaute of payement of the dettes conteyned in suche obligations, shall haue in euery poynte degree and condition agens the said recognisour and recognisours and euery of them, they heyres executours and administratours, & the heyres executours and administratours of euery of them, lyke proces execution commoditye and aduantage in euery behalfe, as hath bene vsed and accustomed befoze this tyme to be hadde done or made of and vpon any obligation of the statute of the Stapull, and vnder suche maner and fourme, as is for the same statute of the Stapull prouyded, payenge for suche processe and execution to be hadde, suche like fees as is accustomed for processe and execution to be hadde vpon obligations of the same statute of the Stapull and not aboue. And that euery suche person and personnes that shalbe bounden or otherwise greued by vertue of any obligation to be made by auctoritie of this acte, shall haue they lyke remedye by *Audita querela*, and *Judicia que*
estis. all other remedies in the lawe, that they mought haue had, in case they had ben bounden by obligation of the statute of the Stapull. And that euery suche persone and personnes that shall haue processe for execution to be had by reason of any suche obligation to be made and knowleged, accordyng to this acte, shall paye to the kinges highnes, his heyres or successours, at the tyme of enscalyng of the processe for execution to be hadde, one halfpence for euery pounce that shall be conteyned in the obligation, wherof execution shall be required, and not aboue. And that euery suche persone and personnes, that shall happen to haue any execution of anye landes tenementes or hereditamentes by reason of any suche obligations to be made and knowleged (as is aboue saide) they executours administratours or assignes, and the executours administratours & assignes of euery of them, if they or any of them ben put out or disseyd, shall haue lyke remedye in euery poynte and condition as persons hauynge execution in and vpon any statute of the Stapull, after execution to them had, maye or might haue by vertue of the saide writinge obligatorie of the statute of the Stapull and execution of the same. ¶ And further be it enacted by the auctoritie aforesaide that euery of the saide Justices, and the sayde maye and recorder, befoze whoru any suche obligation shall be recognised, shall take for euery know-
C.ii. lege of

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Clerke of
the Staple.

lege of every one suche recognisance .iii. s. .iii. d. and not above: And the clerke that shall write make and enrolle the same obligations .iii. s. .iii. d. And for the certypcat of every one suche obligation. ii. d. And if any of the said Justices, mayre, recorder, or clerke take of any of the kynges subiectes above the sum or summes to them lymitted by this estatute, that than the saide Justices maire recorder or clerke, that so shall take contrary to the forme aforesayd, shall forsaite for every tyme so offending fourty poundes. And further it is enacted by the auctoritie afoze sayde, that frome the sayde fyrst day of Aprill, no mayre or constable of the Stapull, for the payment of any summe or summes of money, take any knowledge or recognisance of the saide statute of the Stapull, of any of the kynges subiectes, upon payne to forsaite for every tyme so offendinge .xl. li. The one moztie of all and synghular the sayde penalties to be to the kynges highnesse, and the other moztie to the partye that wyl sue for the same. For the recoverye wherof the partye that wyl pursue, shall have his remedie by information action of dette byll or playnt in any of the kynges courtes: in whiche no esopne protection nor wager of lawe shalbe admitted.

Provided alwaye that this acte nor any thyng therein conteyned be in any wyse prejudiciall or hurtfull to any mayre and constables of the Stapull for any bonde or writinge of the statute of the Stapull to be taken or receyved betwene marchantes beinge free of the same Stapull, for marchandise of the same Stapull, betwene them lawfully boughte and solde.

Provided also and be it enacted by thaurtoritie afoze sayde, that all recognisances befoze this tyme taken befoze the mayre and constables of any of the saide Stapulles, wherof the summes now benot payde or other wyse contented lawfully auoyded or discharged by the lawe, shall be as good and effectuell, as though they had ben verely made for marchandise of the same Stapull: and betwene marchant and marchant of the same Stapull, and as they shulde have ben, if this acte had neuer ben had ne made.

In acte that the statutes made for the mayntenaunce of the Staple of this realme, shall stande in full strengthe, and howe Galscopne and frenche wyne shall be brought in, and the same and other wyne solde. Ca. vii.

Statute



Here for the mayntenaunce and good continuance of the Staple of this realme of Englande it was ordeyned & enacted by a statute made in the fyfthe yere of the reigne of the ryghte noble kyng Richard the seconde that none of the kynges liege people shoulde shippe marchandise in any other ship than in an englyshe ship upon payne of forsaiture of the said marchandise so shipped. And after that by an other statute made in the vi. yere of the saide noble kyng it was enacted, that for defaute of englyshe shippes every man myghte ship their marchandise

chandise in Straungers Shippes. And after that at a parlyamente holden at westm in the. iiii. yere of the late noble kyng of famous memoire kyng Henry the. vii. it was ordeyned and enacted, that no person shulde carpe oʒ bypunge any wyne of Gascogne oʒ Guyone oʒ Coloos Ode into Englande Wales Ireland Calice, oʒ the marches therof, oʒ Barwicke, but all only in Shippes of England Wales Ireland Calice oʒ the marches therof oʒ Barwicke. Shippes. And that the maister and mariners of the same Shippes for the most part of them shuld be of the same countreys, vpon payne of forsaiture of the said wyne & Ode, as by the sayd good estatutes moze at large is expessed. And not withstandinge the sayde good estatutes, yet neuerthelesse the nature of this realme, and the multitude of the Shippes of the same, whiche tofoze this tyme hath ben not onely a great defence & succour to this realme of Englande in tyme of warre, but also a highe commoditie to all the subiectes of the same, for transporthyng and conueyance of marchandyses in and from this realme, is now meruailously decayde and apparyed: and by occasion therof a greatte multitude of the kynges liege people, whiche were maysters and maryners of Shippes, and by the exercise therof they theyr wyfes and chyldren had theyr lyuynge, be nowe minished and impouerished in suche wyse, that within fewe yeres there shall be fewe englyshe men that shall be experte in the seas, to the great peryll of this realme, and decaye of the people of the same, if remedy be not prouided in this behalfe. In consideration wherof the kynges mooste royall maiestie, of his mooste excellent goodnes, hauynge tender respecte to the reformation of the premises is contented and pleased, that it be enacted by his hyghnesse and the lordes spyrituall and tempozall, and the commons in this present parlyamente assembled, and by auctorite of the same, that the sayde estatutes, and euerye thyng in them conteyned shall stande in theyr full strength force and effecte, so that from hencefothe no persone shall attempte to doo contrary to the tenours of any of the sayde estatutes, vpon the paynes conteyned in the same.

¶ And it is further enacted by auctorite aforesaid, that no maner of person oʒ persons shall discharge and laye on lande out of any ship oʒ shippes, oʒ other vessell oʒ vessells any wyne of Gascogne oʒ Guyon, oʒ any maner of frenche wyne, at any haven porte creeke oʒ other place, within this realme of England Ireland Wales oʒ the marches of the same, at any tyme here after betwene the feast of sayncte Michaele the archaungell and the purificacion of oure lady, vpon payne of forsaiture of the sayde wyne so broughte in and discharged and leyde on lande at any tyme hereafter betwene the sayd feastes, contrarye to this acte, The one halfe of whiche forsaiture to be to the kyng oure soueraygne lord, and the other halfe thereof to suche of the kynges subiectes as shall lease oʒ sue for the same by action of detynue oʒ dette after the rate of the value thereof by originall writte byll playnte oʒ information in any of the kynges courtes. In whiche actions wyne layde on lande.

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and sutes the defendant shall not be admytted to wage his laue, nor any protection or essoyne shall be allowed.

wynes solde
by retayle.

¶ And it is further enacted by auctorite aforesaid, that no person after the feast of the purification of our lady, whiche shall be in the pere of our lord god. *M. D. cxxii.* shall sell by retayle any of the sayde wyne above. *viii. d.* the galon, that is to say, a peny the peny, two pence the quarte, four pence the potell, and eyght pence the galon, vpon payne of forfayture for euery peny to be solde aboute the sayd pryce. *iiii. d.* and for euery quarte solde aboute the sayd pryce. *viii. d.* and for euery potell so solde aboute the sayd pryce *xii. d.* and for euery galon, so solde aboute the sayd pryce afoze limited. *ii. s.* And that no malmeseis Romeneis sakkes nor other swete wyne, after the sayd feast shalbe retayled aboute. *xii. d.* the galon. *vi. d.* the potell. *iii. d.* the quarte, and. *i. d. ob.* the peny, vpon payne to lose and forfayte. *iii. s. iiii. d.* for euery galon. *xx. d.* for euery potell. *xii. d.* for euery quarte, and. *vi. d.* for euery peny, that shall be solde contrary to this acte.

Selling of
wynes.

¶ Provided alway that the lord Chancellor, lord Tresourer, lord president of the kynges most honorable counsaile, lord priue seale, and the. *ii.* chiefe Justices of either benche. *o. b. iiii. o. iii.* of them, shall haue power and auctorite by theyr discretions to set the pryces of all kynde of wyne, that is to say, of the pryces, of the butte tonne pye hoggeshead poncheon teers barrell or rondlet whan it shall be solde in grosse, so that they or thye of them, cause the pryces by theym setteto be wrytten, and open proclamation therof to be made in the kynges court of Chauncery openly in the terme tyme, or elles in the cytie borough or towne, where any suche wyne shall be solde in grosse, any thyng conteyned in this acte to the contrary hereof not withstandinge.

¶ And it is further enacted, that if any persone or personnes, after suche pryces be sette and put in wrytyng by the sayde lord Chancellor, lord Tresourer, lord president of the kynges mooste honourable counsaile, lord priue seale, and the two chiefe Justices, or by. *v. iiii. o. iii.* of them, and proclamation therof had as is afoze sayde, do sell any wyne in grosse, by any fraude or couyne contrary to the sayde pryces so set and proclaimed, that than euery offender in that behalfe shall lose and forfayte for euery vessel by them sold in grosse contrary to the sayd pryces. *xl. s.* The one half of all whiche forfaytures to be to the kyng ourte soueraygne lord, and the other halfe therof, if it be within any Citie borough or towne corporate, to be to the mayres shireffes baylyffes or other head rulers of suche cities boroughes or townes corporate: and if it be without citie borough or towne corporate, than to be to suche of the kynges subiectes as will sue for the same. And that euery suche forfayture shall be recovered by originall writte of det byll playnt or information. In whiche suite no wager of laue shall be admytted nor any protection or essoyne allowed.

¶ And it is also enacted, that the Justices of peace in euery shyre of this present

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present realme, and all mayres shireffes bayliffes and other head officers in cities boroughes and townes corporate, that is to saye, every of them with in the limittes of their commissions and auctorities, as well within franchises as without, shall have power and auctoritie to examine here inquire and determine the defaults of suche as shall attempte to sell anye wyne in grosse or by retayle contrary to this acte. And to punyssh the offenders by imprisonment or other wise by their discretions.

Justices of peace,

¶ Provided alwaies, that if it fortune any shippe or shippes, vessel or vessels, laded with the saide wyne of Gasconne or Guyon or frenche wyne, at any tyme hereafter to comme to any porte creek or haven within this realme of Englande Irelande Wales or the marches of the same, betwene the saide feastes of sainte Michael the archangell, and the Purification of our lady, and than the vesselles conceyninge the saide wyne, or the ship or other vessel or vesselles bearynge the same, happen to fall in lcke, that than it shall be lafull to the owner or byngers thereof, at all times betwene the saide feastes, to discharge the saide wyne out of any suche shippe vessel or vesselles for the saunge of them. So that the saide owner or owners of the saide wyne, so discharginge the same, make no sale or other vtrance of them at any tyme betwene the saide feast of saynte Michael, and the saide feast of the purification of our lady, any chynge conceyned in this acte to the contrary hereof nor withstandinge.

Shippes,

¶ And where as in the parlyament holden at Westm in the fyfthe yere of the reigne of kynge Rycharde the thyrde, amonge other thynges it was established ordeyned and enacted, that euery tonne of wyne shoulde conceyne. Cclij. galons, euery butte of malmesey shoulde conceyne. Cxxvi. galons, euery pype. Cxxvi. galons, euery tertian or poncheon. lxxxiij. galons, euery hoggeshead. lxxij. galons, euery ierce. xli. galons, and euery barrell xxxi. galons and vi. and euery rondlet, xviij. galons & a d. And that no vessel shoulde be put to sale tyll it were gauged, vpon payne of forfayture, as by the same estatute it doth appere moze at large. Neuer the lesse greace dyscreete is dayly vsed in sellynge of wyne and oyle in caskes and vessels not bearynge the contentes aboue lymitted to the greatre losse of the kynges pooze subiectes. For remedy wherof be it enacted by the auctoritie of this present parlyament, that the saide estatute made in the fyfthe yere of kynge Rycharde the thyrde, and all other estatutes heretofore made for true gaugynge and measures of wyne oyles hony or any other lycours, whiche estatutes befoze this tyme be not repelled nor expited, shall stande in their strength and vertue and be put in due execution, accordynge to their tenours and effectes in euery behalfe.

*Tunne of wyne.
But of malmesey,*

*Caskes:
Gaugynge,*

¶ And ouer that be it enacted by auctoritie of this present parlyament, that euery gaugeour within this realme shall truly and effectually within the limittes of his office gauge all the saide tunnes buttes pyppes tertres poncheons tertians barrells hoggesheades and rondellettes and shall plainly and truly

Gaugeours

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truely marke vpon the head of euery suche vessell the contente of the same; vpon payne to forfait to the partie, to whose vse the wyne oyle or other thyng therein beinge shall be solde, foure tymes the value of that that the vessell so marked shall lacke of his lawfull content aboue written. The same forfaiture to be recovered ouer and besides the costes of the suite by the kynges or ppyvall wytte, or by bylle in any of the kynges courtes of his common lawes, or in any competent court hauinge iurisdiction in the place, wherethat offence shall be committed, by action or bylle of dette, In whiche action or suite none esoyne protection nor wager of lawe shall be accepted admittted or allowed to the defendante or defendantes. And that euery marchaunte or other persone sellynge the saide wyne oyle or other thyng conteyned in the saide vessell marked, shall allowe of the pryce thereof to the byer of the same, for euery quantite of wyne oyle or other thyng conteyned in the saide marked vesselles, the full value of the lacke thereof, beinge by reason of defeaute of full gauge of the vessell marked, or of defeaute of sellynge the same vessell, or by reason of defeaute of any of thepys after the rate of the hole pryce of the wyne oyle or other thyng soe beyng sold by that vessell marked. And that vpon payne of forfaiture to the same byer the double value of the same vessell and wyne oyle or other thyng therein beyng sold, the same forfaiture to be recovered to gyther with the costes of the suite in maner and forme as the forfaiture laste before written is limited to be recovered. This acte to contynue vnto the last day of the nexte parlyament.

Marchaunte.

In acte concernynge the amendynge and mayntenaunce of the hauens and portes of Plymmouth, Dartmouthe, Ceyngmouth, Falmouth, and Fowey in the counties of Deuonshyre and Cornewall. Cap. viii.

Plymmouth.
Dartmout.



Petrouly sheweth and complayneth vnto the kyng our so- ueraigne lord, and to the lordes spirituall and tempozall, and the commons in this ptesente parlyament assembled, the inhabitauntes of the towne and portes of Plymmouth, Dartmouthe, and Ceyngmouth in the countie of Deuon- shyre, Falmouth and Fowey in the countie of Cornewall, that where the saide portes haue bene in tyme paffe the principall and most commodious hauens and portes within this realme, for the rode suretye and preservation of shippes resortynge from all places of the world, as well in peryll of stormes as otherwyse. For where before this tyme all ma- ner of shippes beinge vnder the portage of. lxxx. C. tonnes resortynge vnto any of the sayde portes or hauens myght at the lowe water easely enter in to the same, and there lye in saretie, what wynde or tempeste so euer byddo blowe. By reason wherof not onely a greate multytude of shippes, as well of

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well of this realme as of othei regyons and countreys befoze this tyme haue bene preserved and saved, but also in tyme of warre the sayde hauens and portes haue ben the greatest fortification and defence of that parte of this realme and the speciall preservation of the greaite parte of the shawe of the same: whiche sayde portes and hauens ben at this presente tyme in maner vtterly decayde and destroyde by meane of certayne tynne workes, called **Streme workes**, vsed by certayne persones within the sayde counties, whiche persones moze regardynge theyr owne priuate lucte than the common welth and suretie of this realme, haue by workynge of the sayde stremes workes, dygging serchynge and waschynge of the same, nere vnto the freshe ryuers waters and lowe places descendynge and comynge out of the londe towardes and into the sayde portes and hauens to the see, conueyed by the force of the sayde freshe ryuers a metuapulous great quantite of sande grauell stone robell erthe slyme and spylthe into the sayde portes and hauens, and haue so fylled and choked the same, that where befoze this tyme a shyppe of the portage of. viii. C. as is aforesayde, myght haue easely entred at a lowe water into the same, nowe a shyppe of a hundred can scarcely entre at the halfe floude, to the decaye and vtter destruction of the sayde hauens and portes, and also to the ruine and vtter vndoyng of all the good towne within the sayd counties of Deuonshire and Cornewall, if remedy be not in that case spedely prouyded. For refozation wherof be it enacted by the kyng our soueraygne lord, the lordes spirytuall and tempozall, and the commons in this presente parlyamente assembled, and by auctorite of the same, that no person or persons hereafter shall labour or worke, or cause to be labored or brought in any maner of tynne workes called **Streme workes**, within the sayde counties of Deuonshire or Cornewall nyghe to any of the sayde freshe waters ryuers or lowe places descendynge or hauynge course vnto the sayde hauens or portes or any of them; nor shall labour digge or washe any tynne in any of the sayde tynne workes called **Streme workes**, onelesse the sayde dygger owner or washer shall make or cause to be made sufficiente hatches and tyes in the ende of theyr buddels and cozdes, and therein put and laye or cause to be put and layde all the sande stones grauell and robell dygged aboute the inserchynge syndynge and waschynge of the sayde tynne, there to be holly and surely kepte, by the sayd hatches and tyes out and from the sayd freshe ryuers or water courses or any of them, so that the sayde sande, stones, grauell, and robell ne any parte therof be for lacke of suche hatches or tyes conueyed in to the sayde portes and hauens, or any of them vpon peyn to forfayte for euery tyme, that any owner or tynner shall dygge or washe, or cause to be digged or washed any tynne contrary to the fourme aforesayde, ten poundes. The one halfe therof to be to the vse of our soueraygne lord the kyng, and the other halfe therof to be to any of the inhabitantes of the sayd ports towne or hauens, that wyl sue for the same in any of the kynges courtes by or

Portes
Hauens,

Deuonshire
Cornwall,

Streme
workes,

Crane,

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by originall wytt byll playnt information oꝝ other wyse, wherein the defend-
dant shall not be admytted to wage his lawe, ne any pꝛotectiō oꝝ esloynē
shall be allowable.

Stannery.

¶ And be it further enacted by auctoritie afoze sayde, that if any person oꝝ
persones shall happen to be sued accused indited imprisoned, amerced con-
demned oꝝ otherwyse vexed oꝝ troubled in his persone landes tynworke
goodes oꝝ cattells by any of the mynisters oꝝ officers of any the kynges
courtes of Stannery, oꝝ by any other person oꝝ persons foꝝ pursuynge oꝝ
attemptynge any suit oꝝ action accordynge to this estatute, agayne suche
person oꝝ persones as shall offende contrary to the fourme afozesayde, that
than all suche suites, accusementes, enditementes, imprisonementes, acti-
ons, condemnations, fines, amerciamentes, and euery other, act, oꝝ actes,
to be done in any of the sayde courtes of Stannery oꝝ els where, by any
person oꝝ persons agaynst any person oꝝ persons foꝝ synge oꝝ attemptynge
any suites oꝝ actions by vertue of this estatute, shall be utterly voyde and
of none effecte in the lawe. And that the parties sued indited accused im-
prisoned oꝝ other wise greued oꝝ molested foꝝ pursuynge agaynst any person
oꝝ persones offendynge this estatute, shall haue his action and remedye
grounded vpon this statute by originall wytte byll playnte information
oꝝ other wyse in any of the kynges courtes, agaynst suche as shall pꝛocure
oꝝ attempte to vex trouble oꝝ otherwyse molest any suche person oꝝ persons
foꝝ synge oꝝ pursuynge foꝝ the foꝝsaithes afoze sayde, And shall recouer
treble damages in that behalfe. And the partie defendante shall not be ad-
mitted to wage his lawe, ne any pꝛotectiō esloynē noꝝ pꝛiuitage shalbe to
hym allowable. And if it shall happen any persone oꝝ persones foꝝ pursu-
ynge any suite oꝝ action vpon this estatute, oꝝ by occasion of the same here-
after to be imprisoned by any maner persone oꝝ persones, beinge officers oꝝ
ministers of the Stannery, ther deputies oꝝ substitutes, that than euery of
the Justices of peace within any of the counties afoze sayde, wherein the
sayde pꝛisoner shall happen to be committed to pꝛison vpon credible infor-
mation, therof takynge suertie by his discretion foꝝ appaꝛaunce of suche
pꝛisoner at the nexte generall sessions of peace, shall haue power and auc-
toritie as well to direct his warrant to the iaylour oꝝ keeper of the pꝛison, as
to any other persone oꝝ persones, to whome the sayde pꝛisoner shall be com-
mitted vnto, commandinge him oꝝ them vpon payne of foꝝsaithes of. xl. li.
to deliuer and put at large the sayde pꝛisoner oꝝ pꝛisoners: whiche if he re-
fuse so to do, than euery suche offender shall lose and foꝝsaithes the sayd. xl. li.
The one halfe of whiche foꝝsaithes to be to the vse of our soueraygne ladye
the kyng, and the other halfe to hym that is greued by reason of suche im-
prisonmente, to be recovered in maner and fourme afoze sayde: And the
defendant in any action oꝝ suite foꝝ the same, shall not wage his lawe, ne
haue any esloynē oꝝ pꝛotectiō allowed. And if hit shall appere vpon the
appaꝛaunce of suche pꝛisoner atte the quarter sessions by examination of
the iustis.

Justices of
peace.

the Justices of peace there beynge, that he was imprisoned contrary to the fountaine of this estatute, that than he shall be forthwith dismissed, and thereby discharged, And if he were lawfully imprisoned, for any other iuste cause, than to be remaunded to prison by the discretion of the said iustices.

Provided alway that this acte or any thynge therein conteyned be not in any wyse prejudiciall or hurtfull to any of the officers of the Stannery, ne to any of the lawfull liberties privileges usages lawes or customes, savinge only in the cases and provisions conteyned and limited within this present acte, whiche shall alwaye be put in execution accordynge to the tenour of this acte, any usage custome privilege ordinance or libertie to the contrary therof not withstandinge.

And it is enacted, that this acte shall begyn to take effecte from the feast of saynt Mychaell the archangell nexte cominge, and not before.

An acte that no person shall be cited out of the diocese, where he or she dwelleth, except in certayne cases. Cap. ix.

Where greate numbre of the kynges subiectes as well men, wyves, servants, as other the kynges subiectes dwellinge in dyvers Diocesses of this realme of Englande and of wales heretofore have benne at many tymes called by Citations and other processees compulsaries to appere in the Arches audience and othe hygh courtes of the archebischoppes of this realme, farr from and out of the Diocese, where suche men, wyves, servants, and other the kynges subiectes ben inhabitant and dwellinge, and many tymes to answer to surmised and feyned causes and sures of defamation, withholdeynge of rithes and suche other like causes and matters, whiche have ben sued moze for malice and for veracion, than for any iuste cause of supre.

And where certificat hath ben made by the somoner, apparitour, or any suche lycht literate person, that the partie, against whom any suche Citation hath ben awarded, hath be cited or somoned, and there vpon the same partie so certified to be cited or somoned, hath not appered accordynge to the certificat, the same partie therfore hath ben excommunicated, or at the least suspended from all diuine service. And therupon before that he or she coulde be absolved, hath be compelled not onely to paye the fees of the courte, wherunto he or she was soo called by citation or other processe, amountynge to the somme of. ii. s. or. x. d. at the least: but also to pay to the somoner apparitour or othe lycht literate persone, by whome he or she was so certified to be somoned for euery mple beynge bystaunt from the place where he or she than dwelled vnto the same courte, where vnto he or she was so cited or somoned to appere, two pence, to the great charge and impouerishment of the kynges subiectes, and to the greute occasion of misbehaucour and mispyngne of wyves, women, and servants, and to the great

Citation;
Arches.

ANNO VICESIMO TERTIO.

the great impeachment & diminution of the good names and honesties. Be it therefore enacted by the kyng our sowerayne lord, with the assente of the lordes spirituall and tempozall, and the commons in this presente parliament assembled, and by auctorite of the same, that no maner person shall be from henceforth cited or somoned or otherwysse called to appere by hym selfe or her selfe, or by any procuratour before any ordynatre, archedeacon, commissary, officiall, or any other iudge spirituall out of the diocese or peculiar iurisdiction, where the person, whiche shall be cited somoned or otherwysse (as is aboue sayde) called, shall be inhabytynge and dwellinge at the tyme of a wardynge or goynge forthe of the same citatyon or somons: excepte that it shall be for in or upon any of the cases or causes hereafter written: That is to say, for any spiritual offence or cause committed or done, or omitted forlewed or neglected to be done contrary to ryght or dutie by the bysshop archedeacon commissarie officiall or other persone, hauynge spiritual iurisdiction, or beyng a spirituall iudge, or by any other person or persones within the diocese or other iurisdiction, wherunto he or she shalbe cited, or otherwise lawfully called to appere & answer. And excepte also it shall be by or vpon matter or cause of appele, or for other lawfull cause, wherein any party shall fynde hym selfe, or her selfe greued or wronged by the ordinarie, iudge or iudges of the diocese or iurisdiction or by any of his substitutes officers or ministers after the matter or cause there fynde commensed and begone, to be shewed vnto the archbishop or bishop, or any other hauynge peculiar iurisdiction, within whose prouince the diocese or place peculiar is: Or in case that the byshoppe or other immediate iudge or ordinarie dare not nor wyl not conuente the partie to be sued before hym. Or in case that the byshop of the diocese, or the iudge of the place, within whose iurisdiction or before whome the suite by this acte shulde be commensed and prosecuted be partie directlye or indirectlye to the matter or cause of the same suite. Or in case that any byshoppe, or any inferiour iudge hauynge vnder hym iurisdiction in his owne ryghte and title, or by commission make requeste or instance to the archbishop or bishop or other superiour ordinarie or iuge, to take treate examin or determine the matter before hym or his substitute. And that to be done in cases onely where the lawe Civile or Canone dothe assygne execution of suche requeste or instance of iurisdiction to be lawfull or tollerable, vpon payne of forfayture to euery person by any ordinarie commissarie officiall or substitute by vertue of his office, or at the suite of any persone to be cyted or otherwysse somoned or called contrary to this acte, of double damages and costes for the vexation in that behalfe susteyned, to be recouered agaynst any suche ordinarie, commissarie, archedeacon, officiall, or other iudge, as shall awarde or make proces, or otherwysse attempte or procure to doo any thyng contrary to this acte, by action of dette, or action vpon the case, accordynge to the course of the common lawe of this realme in any of the

Dyces,

Appele.

Conuention.

Chall lawe.

hinges

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kynges hgh courtes, oꝛ in any oþer competent tempozall courte of re-
coꝛde by originall wytte of dette byll oꝛ playnte. In whiche action no pꝛo-
tection other thanne ſuche as ſhall be made vnder the kynges greate ſeale,
and ſygned with his ſygne manuell, ſhall be allowed, neyther any wager
of lawe, noꝛ eſſoyne ſhall be admitted. And vppon peyne of ſoꝛtapture foꝛ
euery perſone ſo ſomoned cited oꝛ otherwyſe called (as is afore ſayde) to
anſwere befoꝛe any ſpirituall iudge, out of the dioceſe oꝛ other iuriſdicti-
on where the ſayde perſon ſo dwellethe, oꝛ is reſident oꝛ abydyng, tenne
poundes ſterlyng. The one halfe thereof to be to the kyng our ſouerayn
loꝛde and the other halfe to any perſone, that wyl ſue foꝛ the ſame in any
of the kynges ſayde courtes, oꝛ in any other the ſayde tempozall courtes,
by wytte information byll oꝛ playnte. In which action no pꝛotection ſhall
be allowed, noꝛ wager of lawe noꝛ eſſoyne ſhall be admitted.

¶ Pꝛouided alſo that it ſhall be lefull to euery archbiſhoppe of this
realme, to call cpte and ſomone any perſon oꝛ perſons inhabytyng oꝛ dwel-
lyng in any biſhops dioceſe within his pꝛouince foꝛ cauſes of heretie, if
the biſhoppe oꝛ other oꝛdinary immediat thereto conſents, oꝛ if that the
ſame biſhop oꝛ other immediat oꝛdinary oꝛ iudge, do not his ductie in pu-
niſhment of the ſame.

Archbiſhop
Hereby.

¶ Pꝛouided alſo that this acte ſhall not extende in any wyſe to the pꝛero-
gatiue of the moſte reuerende father in god, the archbiſhop of Canterbe-
ry, oꝛ any of his ſucceſſours of oꝛ foꝛ calling any perſon oꝛ perſons oute of
the dioceſe, where he oꝛ they be inhabityng dwelling oꝛ reſident foꝛ pꝛo-
bate of any teſtamente oꝛ teſtamentes, any thyng in this acte conteyned to
the contrary not withſtandynge.

Pꝛerogative
Probate of
teſtament.

¶ AND BE IT further enacted by auctorite afore ſayde, that noo
archbiſhoppe noꝛ biſhoppe oꝛdinary officiall commyſſarye, oꝛ any o-
ther ſubſtytute oꝛ miniſter of any of the ſayde archbiſhoppes biſhoppes
archdeacons, oꝛ other hauinge any ſpirituall iuriſdyction, at any tyme
frome the feaſte of Eaſter next commynge ſhall aſke, demaunde, take, oꝛ
receiue of any of the kynges ſubiettes, any ſomme oꝛ ſommes of money,
foꝛ the ſeale of any citation, after the ſayde feaſte to be aſwerded oꝛ obtey-
ned, than only thre pence ſterlyng, vpon the peynes and penalties befoꝛe
lymited, conteyned, and expreſſed, in this pꝛeſent act, to be in lyke ſourthe
recouered as is afore ſayde.

Statute

¶ Pꝛouided alſo that this acte be not in any wyſe hurtfull oꝛ pꝛejudi-
ciall to the archbiſhoppe of Poꝛke, noꝛ to his ſucceſſours, of foꝛ oꝛ concer-
ninge probate of teſtamentes within his pꝛouince and iuriſdyction by rea-
ſon of any pꝛerogatiue, any thyng in this acte to the contrary thereof not
withſtandynge.

Archbiſhop
of Poꝛke.

¶

¶ In act

ANNO VICESIMO TERTIO.

An acte concernyng feoffementes and assurance of landes and tenementes, made to the vse of any parsshie church, chapell, or suche lyke. Capl. I.

Church was
bynne.



Feoffement.

Wise.

Here by reason of feoffementes fynes recoveries and other estates and assurances made of trusse of maners landes tenementes and hereditamentes, to the vse of parsshie churches chapelles church wardenes Guildes fraternities communitie companies or brotherheades, erected & made of deuotion or by common assent of the people without any corporation, and also by reason of feoffementes fynes recoveries wylles and other actes made to any vles aforesaid, or to the vles and intentes to haue obites perpetuall, or a continuall seruise of a priest for euer, or for.iii.score. or.iiii.score yeres founden of thissues and profits of the maners landes tenementes & hereditamentes, wherof suche feoffementes fynes recoveries wylles and other actes ben made, or that the feoffees conisees recoveries or other persons and theyr heires therof seised shall take leupe receyue and perceyue, or cause or suffer to be taken leuped and perceyued thissues reuenues and profits therof, and the same to dispose pay conuerter or otherwise employe or suffer, or cause to be disposed paid conuerried or employde to any such vles intentes or purposes, as ben aboue specified, or to any other lyke vles or intentes: there groweth and issueth to the kynge our soueraigne lord, and to other lordes and subiectes of the realme, the same lyke losses and inconueniencies, and is as muche prejudiciall to them, as doth & is in case where landes be aliened into mortmaine, Be it therfore enacted by the kynge our soueraigne lord, the lordes spiritual and temporell, and the commons in this presente parliament assembled, and by autoritie of the same, that all and euerye suche vles intentes and purposes, of what name nature or qualitie they shall be called, that shall be deuised couenanted made declared or in any wise ordeyned after the first daye of Marche, in the.xiiii. yere of the reigne of our soueraigne lord kynge Henry the.viii. by any fesssee recoueror or conisee, or by any other person or persones, to whose vse any suche fesssee recoueror or conisee, shall be seised of any manours landes tenementes or hereditamentes, or of thissues reuenues and profits of them or any of them, shall be utterly voyde and of no strength vertue nor effecte in the lawe.

It shoulde alway that it shall be lawfull to euery personne beyng seised of any manours landes tenementes or hereditamentes to his owne propre vse, or haupage feoffes recoverers or conisees to his vse, to make or ordeyne or deuyse, or cause to be made ordeyned or deuysed any of the vles intentes or purposes aboue specified, in suche maner as they moughte haue done afore the makinge of this acte, and as if this acte had neuer be hadde made: So that none suche vles intentes or purposes to be made ordeyned or deuised after the sayde firste daye of Marche, be not in any wise made

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made ordeyned deuysed or appoynted to endure contynue or abyde by any crafte colour termes sentences clauses wordes or other meanes aboue the terme of .xx. yeres, nexte after the firste makinge and begynnyng of any suche vles intentes or purposes.

¶ And it is further enacted, that if any persone or personnes in defraude of this estatute bynde or ordeine any their heires or successours or any other person or persons, that they shall suffre such vles intentes or purposes to endure and contynue contrary to this acte, vppon peynes or penalties of losses of any other landes tenementes or hereditamentes, or of any other thyng or thinges, or do attempte or deuise by any colour crafte or meanes any thyng or thinges to make any suche vles intentes or purposes to be declared, contrary to the true meanynge of this acte, to contynue or abyde for any longer time or season than is aboue limited for the same: that than euery suche peyne penaltie crafte colour, and euery other thyng and thynges, of what kynde nature or qualitie so euer it be, that shall be so made ordeyned or deuised in defraude of this acte, shall be vtterly voyde in the law to all intentes. And that this estatute shall be alwayes interpreted and expounded as beneficially as may be, to the distruction and vtter auoydinge of suche vles intentes and purposes, therein aboue remembred, and of all other like vles and intentes, otherwys than alonely after such maner, as is afore by this present acte prouided.

¶ Prouided alway that in suche cities and townes corporate, where by their auncient customes they haue good and lafull auctorities to deuise in to moztmaine the landes tenementes and hereditamentes within the same cities or townes corporate, that this acte shall not be in any wise prejudiciall or hurtfull to any suche custome.

¶ Prouided alwaye that this acte ne any thyng therein conteyned, shall extende or be in any wyse prejudiciall to hynder or impaire any suche ordynauces deuises or declarations of vles, as shall here after be made and declared in wytyng by the executours of the testaments and laste willes of Roberte Jannis, and John Terry, late aldermen of the citie of London, now deceased, or by the executours or the suruivour of the executours of eyther of them, of any landes tenementes or hereditamentes, not amountynge in the holl, aboue the clere yerely value of .xl. li. to be employde and conuerted to and for the discharge of Colles and customes within the saide citie, and at the gates of the same, for the discharge of pooze people within the same citie of Taxes and Tollages here after to be assessed and leuyed, and for the cleansing of the Streets of the same citie, or for any of the sayde good purposes, accordyng to the true intentes and meanings of the saide laste wylles and testaments, and of eyther of them: soo that the same ordynauces deuises and declarations be had made and certiffed in wytyng into the hynges court of Chauncery, within two yeares nexte ensuynge the feast of Easter next commynge.

D. 11.

¶ In acto

ANNO VICESIMO TERTIO.

An acte concerninge breakynge of pryson by clerkes conuicte. Cap. xi.

Breakynge of
pryson.



Clerke con-
uicte.

Felonye.

Clergye.

Saintuarie.

Orders.

Ordinary.

Here dyuers persons beinge conuicte of murder or felonpe, ha-
uynge the prytullege of their clergie, and deliuered to the ordina-
ries, afterwarde wilfully breke the prysons of the ordinarie,
and escape their wayes, doyng and committing great horrible
and detestable offences, and as hitherto for suche wylfull breakynge of pry-
sonnes of ordinarie by clerkes conuicte hath not ben prouided any great
penaltie, wherby they shulde stande in dyede of doyng of the same. Be it
therfore enacted by auctoritie of this present parliamente, that if any clerke
conuicte beinge in pryson of any ordinarie wylfully breake the sayde pryson,
and escape his waye out of the same, that then euery suche breakynge of pry-
son and escape, shall be from henceforth dened and adiudged felonye, and
the offender therin shall haue and suffer suche peyne of deeth and penaltie,
and losse of his landes and goodes, as for other felonies is accustomed by
the lawes of this realme, and shall not in any wyse be admitted to haue the
prytullege or benefite of his clergie, nor enioy any saintuarie for the same.

Prōvided alway that if any suche offender be within holpe orders, that
is to saye, of the orders of subdeacon deacon or presbode, that than after
he is conuicte of the premises, he shall be deliuered to the ordinarie, there
to remayne without any purgation.

And it is enacted, that it shall be at the lybertie of the ordinarie, to dys-
grade any suche offender after he is founde guiltie and deliuered to hym,
as a clerke conuicte, and sende hym befoze the kynge in his benche with
letters witnessinge the sayde disgradinge, and therupon the Justices of the
kynge's benche hauynge the recozde of his conuiction, shall haue power and
auctoritie to grue iugement agayne euery suche offender, beinge conuicte
and disgraded, that he shall suffer death, lyke as they mought do in case the
same offender had ben a lay man, and arraigned and founde guilty afoze them
of the sayde offence, the deliuerynge of suche offender afoze to the ordinarie
notwithstandinge.

An acte for takynge eractions vpon the pathes of Seuerne. Cap. xii.

Seuerne.



Here the kynges subiectes, passynge vpon the ryuer
and water of Seuerne, haue vsed tyme oute of mynde,
to haue and vse a certayne pathe of a foote and a halfe
bryde on euery syde of the sayde Ryuer for passynge
by by lynes or ropes they; troughes barges botes and
other vesselles passynge or repassynge on the sayd ryuer
of Seuerne, with wine or any other marchaundise, without any imposition
taxe

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taxe oꝝ tolle, to be demaunded of them that so shuld carꝝ wyne in any of the sayd vessels, foꝝ the sayde passynge and dꝛawynge in the sayde pathes accustomed, tyll nowe of late, certayne courtous persons haue pꝛetourbed and interrupted many of the kynges subiectes, halpynge and dꝛawynge bp theyꝝ vessels in the sayde pathes, takynge of them fynes and dꝛaughtes and bo- tels of wyne, and yet dayly vse to take, to the disturbance and losse to many of the kynges subiectes.

¶ Be it therfoꝛe enacted by the kyng our souerayne loꝛde, and the loꝛdes spirituall and tempozall, and the commons in this pꝛesent parlyamente as- sembled, that no persone oꝝ personnes interrupte by any obacle lette oꝝ o- therwysse, any persone oꝝ personnes, passynge oꝝ repassynge on and vpon euerye of the sayde pathes accustomed, noꝝ also are take oꝝ demaunde any tolle called a dꝛaughte, oꝝ bottell of wyne, oꝝ any other taxe oꝝ im- position of any of the kynges subiectes, there goynge in the sayde pathes ac- customed, vpon euery spde of the ryuer of Seuerne, there halpynge oꝝ dꝛau- inge theyꝝ botes trouges oꝝ vessels, vppon peine to forfait foꝝ euery time that he oꝝ they soo shall interrupte any of the kynges subiectes, oꝝ are oꝝ take any suche imposition, by what name so euer it be called .xl. s. The one halfe therof to be to the kyng our souerayne loꝛde, and the other halfe to the partie greued, that wꝛill sue foꝝ the same by byll plapnte informacion oꝝ otherwysse, in the whiche suite no essoyne wꝛager of lawe noꝝ pꝛotectiō shall be allowed.

Pathes.

Tolle;

Imposition;

¶ In acte that men in cities boroughes and townes, whiche be cleuely worthē .xl. li. in goodes, shall passe in triall of murders. Cap. viii.



as moche as triall in murders and felones in cities boroughes and townes corꝛopate within this realme, haupng auctorite to procede in the deliuerance of suche offenders, benne often tymes deferred and delayed by reason of challenge of such offenders, foꝝ lacke of suffi- cience of freholde to the great hynderaunce of Justice.

It may therfoꝛe be enacted by auctorite of this pꝛesent parlyamente, that euery persone and persones beinge the kynges naturall subiecte borne, whiche eyther by the name of a citizin oꝝ of a fre man oꝝ any other name, dothe enioye and vse the lyberties and pꝛiualleges of any citie borough oꝝ towne corꝛopate, where he dwelleth and maketh his abode, beyng worthē in mouable goodes and substance to the cleere value of .xl. poundes, be from hencefoꝛthe admytted in triall of murders and felonies in euery sessions and gaples of deliquete to be kepte and holden in and foꝝ the lybertie of suche cyties boroughes oꝝ townes corꝛopate, All be it they haue no freholde, any acte statute vse custome oꝝ ordynance to the contrary.

Trial of
murders
and felonies;

Ed. III.

perceof

ANNO VICESIMO TERTIO.

hereof not withstandinge.

¶ Provided alwaye that this acte do not extende in any maner of wyse, to any knyghte or esquire dwellinge abydinge or resoryng in or to any suche cite or borough coporate, any thynge in the same acte mencioned, or declared to the contrary herof not withstandinge.

¶ Proces of outlary to lye in actions of anno. v. R. ii. in covenant and annuities. Ca. xiii.

Entres.

Outlary.

Trespas.



E as moche as there is great delays in actions of trespas broughte upon the statute of kynge Rycharde the seconde, made in the. v. yere of his reygne, agensse them that make entres in to any landes or tenementes, where they entree is not paven by the lawe, And also in actions of annuities and actions of covenant, by cause there lyeth no proces of outlary in suche nature of actions. For reformation wherof it maye please the kynges hyghnes by the aduyse of his lordes spirituall and tempozall, and the commons in this pzesent parlyamente assembled, and by auctoritie of the same, to ordeyne and enacte, that lyke proces be had hereafter in every action from hencefozthe to be broughte upon the sayde estatute of anno quinto, as is in a common action of trespas at the common lawe, and that also lyke proces be had in every wyte of annuities and convenant hereafter to be sued, as in an action of dette.

An acte that the defendandt shall recouer costs agensse the pleyntife, if the pleyntife be nonsuited, or if the verdicte passe agaynsse hym. Ca. xv.



I it enacted by the kyng our souerayne lord, and the lordes spirituall and tempozall, and the commons in this pzesent parlyament assembled, and by auctoritie of the same, that if any person or persons at any tyme after the feast of the Purification of our lady, in the. xiii. yere of the reygne of our souerayne, kyng Henry the. viii. commense or lye in any courtte of recozde, or els where in any other courtte, any action byll or plaint of trespas upon the statute of kynge Rycharde the seconde, made in the. v. yere of his reygne, for entres into landes and tenementes, where none entree is given by the lawe, or any action byll or playnt of dette or convenant upon any especialite, made to the pleyntife or pleyntifes, or upon any contracte supposed to be made betwene the pleyntife or pleyntifes, and any person or persons, or any action byll or playnte of dettinue of any goodes or cattails, wherof the pleyntife or pleyntifes shall suppose, that the propertie belongeth to them or to any of them, or any action byll or pleynt of accompt.

in the

Entres.

T. ii.

Covenant.

Detinue.

Accompt.

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In the whiche the pleyntife or pleyntifes suppose the defendaunte or defendantes to be theyr baylyfe or bayliffes, receyvouer or receyvouers of theyr maner mese money or goodes to paye accompte, or any action bill or plaint upon the case, or upon any statute for any offence or wronge personall immediately supposed to be done to the pleyntife or pleyntifes, and the pleyntife or pleyntifes in any suche kynde of action byll or pleynt after apparance of the defendaunt or defendantes be nonsuited, or that any verdicte happen to passe by lawfull triall agaynst the pleyntife or pleyntifes in any such action byll or pleynt: that then the defendaunt or defendantes, in euery suche action bill or pleynt, shall haue iugement to recouer his costes agaynst euery suche pleyntife or pleyntifes. And that to be assessed and taxed by the discretion of the iudge or iudges of the courte, where any suche action byll or pleynt shall be commenced sued or taken. And also that euery defendaunt in suche action byll or pleynt shall haue suche processe and execution for the recouerie and hauynge of his costes agaynst the pleyntife or pleyntifes, as the same pleyntife or pleyntifes shulde or myght haue had agaynst the defendaunt or defendantes, in case that iugement had ben gyven for the parte of the said pleyntife or pleyntifes in any suche action byll or pleynt.

¶ Provided alwaye that all and euery suche poore persone or persones, beinge pleyntife or pleyntifes in any of the saide actions bylles or playntes, whiche at the commensment of their suites or actions be admitted by discretion of the iudge or iudges, where suche suites or actions shall be put sued or taken, to haue their processe and counsaile of charitie without any money or fee payenge for the same, shall not be compelled to pay any costes by vertue or force of this estatute, but shall suffre other punishmentes, as by the discretion of the Iustices or iudges, afore whome suche suites shal depende, shall be thoughte reasonable, any thinge afore rehered to the contrary hercof notwithstanding.

¶ In acte that no englyshe man shall sell exchange or deliuer to be conueide into Scotlande any horse, geldynge, or mare without the kinges lycence. Cap. xvi.



Where befoze this tyme dyuers of the kinges subiectes, and namely of the Nothe parties of this realme, as well in tyme of peace, as of warre, haue solde and deliuered out of this realme into Scotlande, many and diuers great multitude of horses geldynges and mares, whiche hath benne thoughte not onely greate occasyon strength and boldnes to the Scottisshemen, hauynge in possession the same horses geldynges and mares, in tyme of warre to inuade this realme, to the greate detriment and hynderaunce of the kynges poore subiectes of this his realme, but also a great enfeblenge of the kynges said

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Scotland.

Batable
ground.

Boyle
Gelding
Spaare.

Felony.
warden of
the marches.
Justices of
peace.

Ward.

Wounding
of wolves.

ges sayde subiectes in the defence of the same.

C Be it therfoze enacted by auctoritie of this presente patipamente, that if any person or persones after the feast of saynt George the martyr next comynge, sell exchaunge or deliuer within the realme of Scotlande or in any place or grounde called the batable grounde betwene Englande and Scotlande, to the vse of any Scottishe man, any horse geldynge or mare, without licence opeyned of the kynges hyghnes by his letters patentes vnder his great seale so to do, or sell exchange or deliuer to any Scottissheman, within this realme of Englande wales the towne of Barwyke, or marches of the same, or in any of the sayde batable grounde, to the entente to be conueyed in to Scotlande, any horse geldynge or mare, without speccall liccne opeyned of the kynges hyghnes by his letters patentes vnder his great seale so to do: that than the same sale exchaunge or deliuer of suche horse geldynge or mare, contrary to this present acte, shal be iuged and deemed by the lawe felony, as wel in the seller exchaunger or deliuerer, as also in hym or them to whom the same sale exchange or deliuer shall be made. And that it shalbe lesul as well to the warden and wardens of the east west and myddell marches for the tyme beyng, in theyr warden courtes, as also to the kynges Justices of his peace in theyr quarter sessions in euery shyre of this realme, to enquire here and determyne all and euery suche felonies, after lyke maner as is vsed in other felonies at the common lawe, whether the same sales exchaunges or deliueries be made had or doone by any person or persones, contrary to this acte in the realme of Scotlande, or in any parte of the sayde batable groundes, or within the realme of Englande wales Barwyke or marches of the same. And that it shall be lesull to euery person and persons, beyng the kynges subiectes, and inhabitynge in the foresayde marches for ayenst Scotlande to arrest any Scottisshman ledynge or conueyng any suche horse geldynge or mare out of this realme, in to the sayde realme of Scotlande, And that the moptye or one halfe of the pyce of the sayde horse geldynge or mare, shall be to the vse of the seysour and arrestour of the same, after due tryall of the same made, And the other moptye to the kynges hyghnes.

C An acte concernynge the true wyndynge of wolles. Ca. xlii.



B E it enacted by the kyng our soueraygne lord, and the lordes spirituall and tempozall, with the commons in this present patipamente assembled, and by auctoritie of the same, that from henceforthe noo maner personne ne persons do wynde or cause to be wounde any fleesse of wolle beyng not sufficiently ryuered or washed, ne wynde or cause to be wounde within any fleesse, claye, leede, stones, sande, tayles, deceitful lockes, cotte calles combe, lammes wolle, or

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holle, or any other thyng, wherby the fleesse maye be the moze weyghty, to the discreyte and losse of the byer, bypon peyne the seller of any suche decrepfull wolles to forsaite for euery suche fleesse. vi. d. the one moyle to the kyng, the other to the fynder and prouer of the same discreyte, by action of dette by originall writte byll playnte information or otherwys in any of the kynges courtes, in whiche action noo wager of lawe eslopie ne protection shall be allowed for the defendant.

Undoubtedly alway that this acte concernynge riuerynge and waschyng of any wol, shall not in any wise extende to any ryuer or ryues, the inhabitantes wherof hath not customably vsed before this tyme, to ryuer or wasch they; thepe afoze they be shorne, nor shall in any wise be hurtfull or preiudiciall to any persone or persons, that hath vsed customably to selle they wolles by tale or nombze of the fleesse or fleesses, and not by weyghte, any thyng in this acte to the contrary not withstandinge. This act to endure to the nexte parlyamente.

*Concerning of
waschyng of
woll.*

*woll sold
by tale.*

An act concernynge pullynge downe and auoydynge of fylthegarthes, piles, stakes, heckes, and other ingins, sette in the ryuer and water of Ouse and Humber. Cap. xlviii.



The maye shippes and commynhaultie of the Cytie of Porte and other the kynges true subiectes inhabitynge and dwellynge nigh vnto the ryuer of Ouse, and the water of Humber, and all other occupiers of the same ryuer and water, lamentably complaynyng shewen vnto our souerayne lord the kyng, the lordes spirituall and tempozall, and the commons in this presente parlyament assembled, that wherethe sayde cite beynge one of the mooste auncient cities of this realme, hath ben moche repleued, incryptened, and supported by the sayde ryuer of Ouse and water of Humber, whiche be the common and directe passage and waye from Hulle vnto Porte aforesayde, by reason that many shippes keyles Cogges and botes and other vessels haue heretofore had they; frauke passagis without lette impediment or interruption, in and bypon the sayde ryuer and water of Ouse and Humber, from diuers parties of this realme vnto the sayde cite, wherby the sayde cite hath hitherto most cheifly ben auaunced: And now of late certayne persons subynge onely for they; owne priuate lucre, not regardynge the common weale, but dayly ymagynynge shutter destruction tyme and decay of the sayde cite, and the countrys adioynynge bypon the sayde ryuer of Ouse and water of Humber, and the occupiers therof haue and dayly do kepe pferue and maynteyne certayne ingins for takynge of fysh in the sayde ryuer and water of Ouse and Humber, commonly called fylthegarthes, and sette in the sayde ryuer and water in suche places of the same, where shippes shulde haue they; lyberty and directe passage in the

*Porte.
Ouse.
Humber.*

*Fylthegarthes
myddes*

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myddes of the streame of the sayde ryuer of Ouse and water of Humber, stak-
kes, pyles, and other thynge in and vpon the common passage for ships,
keyles, cogges, botes, and other vesselles at dyuers and many places in
the sayde ryuer of Ouse and water of Humber: by reason wherof not onely
the sayde shippes keyles cogges botes and other vesselles are dayely in ted-
perdie, and men chyldren goodes and marchaundises in the same, of late
haue ben and dayely be lyke moze to increce to be dyolued slayne and dy-
stroyed, but also byoode and frye of fyssh in the sayde ryuer and water of
Ouse & Humber, be commonly thereby destroyed and putrefied, to the vtter
impoueryshemente and distruction of the sayde citie, onesles speddy remedye
be in this behalfe shortly prouyded. Wherfoze it maye please our sayde so-
ueraygne lord, with the assent of the lordes spirytual and tempoꝝall, and
the commons in this pꝛesent parliament assembled, and by auctoritie of the
same, that the lord Chaunceller of Englande, for the tyme beinge, by the
kynges commission vnder his greate seale, afore the fyrst day of May now
nexte commynge, shall by his dyscretion appoynt. viii. sadde and discrete
persons, wherof. iiii. of them to be of the citisens of the sayde citie of York,
and burghens. of the sayde towne of Hulle, and the other. iiii. to be two of
them Justices of the peace of the west ryddynge of the countie of York, and
the other. ii. Justices of the peace of the East ryddynge of the same countie,
that they. viii. vii. vi. v. oꝝ. iiii. of them, wherof. ii. of them to be of the said
citisens and burghens. of the sayde citie and towne, and other two to be, one
of them Justice of the peace of the west ryddynge, and the other of the east
ryddynge of the sayde countie, on this syde the fyrste daye of June nowe
next ensuyng, shall haue power and auctoritie to suruey and see the sayde
fyshegarthes weres pyles stakes and other ingins set and made in the said
ryuer and water of Ouse and Humber: whiche sayde persons so assigned
shall haue power and auctoritie by vertue of this acte to appoynte and as-
signe by theyr discretions, the owners of the sayd fyshegarthes stakes py-
les and other ingins to auoyde and pul vp, oꝝ cause to be auoyded and pul-
led vp within .xl. dayes after suche surueyance made, and monition giuen
to the sayde owners, euen suche and as moche of the sayde fyshegarthes
pyles stakes hekes and other ingins, which than by theyr discretions shall
be thought expediente mete and conuenient to be auoyded and pulled vp,
that the sayde shippes keilles cogges botes and other vesselles, passyng and
repassyng on the sayde ryuer and water of Ouse and Humber, to oꝝ from
the sayde citie of York and towne of Hulle, maye haue directe libeꝝall and
franke passage in throughe oꝝ vpon the sayde ryuer of Ouse and water of
Humber without any perturbance impedimente lette oꝝ daunger by reason
of any of the sayde fyshegarthes pyles stakes oꝝ other ingins, than left ere-
cted and standynge in the saide ryuer and water of Ouse and Humber, and
that the sayde owners on euery syde of the sayd fyshegarthes and other in-
gins nexte to the myddell of the sayde water streame and passage of the sayd
vesselles,

Chauncellour
of England.

Justices of
peace.

Witness,
1554.

hessellen, there to sette oꝝ cause to be sette within the sayde. xl. dayes befoze
lymited two pyles of the lengthe of one yarde, ouer and aboue the hyghe
water marke at the full see of the sayde ruer and water of the springe tibr,
there to be and remaine, and to be kepte and repayred by the sayd owners,
whan nede shall require the same foꝝ euer, that suche persons as shall passe
and repasse with shippes keyles cogges and other vessels in the same wa-
ters, may haue perfecte knowlege and syghet of the directe waye and pas-
sage in the sayde waters, throughe the sayde fyllhegathes and ingins, foꝝ
the sayde shippes keyles botes and other vessels.

¶ Also be it enacted by the sayde auctorite, that the lord Chancellor of En-
glande, foꝝ the tyme beinge, at all tymes after the sayde first surtepaunce,
vpon request to hym to be made by the mayeꝛ and commynaltie of the sayde
cittie and towne, oꝝ by any other citisyn and burghens of the sayde cittie and
towne foꝝ the tyme beinge, oꝝ other personne by them, vnder the common
seales of the sayde cittie and towne auctorised, shall haue power and aucto-
ritie by his discretioun to make and directe lyke commissions vnto. viii. sad
and discrete persons, wherof. iiii. of them to be of the citisyns and inhabi-
tantes of the sayde cittie and towne; and the other. iiii. to be Justices of the
peace, the one of the west ryddynge, and the other of East ryddynge of the
countie of yorke, not of fee nor retayned with the sayd cittie nor towne; that
they. viii. bit. vi. b. oꝝ. iiii. of them, wherof. ii. of them shall be of the said
cittie and towne, and the other. ii. Justice of peace, the one of the East ryd-
ynge, and the other of the west ryddynge of the sayd countie, by vertue of
the sayde commission, shall and may the sayd owners assigne and appoint
to pulle vp and redresse, oꝝ cause to be pulled vp and redressed within. xxi.
dayes after monition geuen to the sayd owners by the sayd commissioners,
oꝝ by suche of them takynge the charge of the execution of the sayde com-
mission, suche and as moche of the sayde fyllhegathes and other impedy-
mentes to be made in the sayde waters, to the let disturbaunce damage oꝝ
leperdy of any shippes keyles botes oꝝ any other vessels passynge oꝝ repas-
synge to oꝝ from the sayde cittie of yorke, to the sayde towne of Hulle, as by
them shall be thought mete and conuenient.

¶ And further be it enacted by the sayde auctorite, that no maner of per-
sone oꝝ personnes within the sayde ruer and water of Ouse and Humbre,
shall sette fyllhegathes oꝝ any other ingins to take fyllhe withali within
the waters afoze sayde, but onely with suche nettes and other ingins as
shall be of assise and measure, accordynge to the standarde and auntyente
and lawdable customes, vsed in the sayde ruer and water of Ouse and
Humbre, and also to vse the fyllsynge within the sayde waters at all suche
tymes as within the same, hath of olde tyme ben accustomed, and at none
other tyme.

¶ And further be it enacted by the auctorite afozesayde, that euerye of the
sayde owners and occuppers of suche fyllhegathes, foꝝ euery monethe of
sendynge

ANNO VICESIMO TERTIO.

sendinge contrary to this acte, shall forfeite. xl. li. And euery other person in faultinge contrary to this acte offendynge, shall forfeite. x. li. the one halfe of whiche penaltye and penalties to be to our soveraygne lord the kynge, and the other halfe to the mayre and commynalte of the sayde cite of Yorke and their successours, and the same to be recovered agaynst euery person and persones so offendynge, as well by helle informayon or otherwys at the kynges suite, as by originall writte of dette, at the suite of the sayde mayre and commynalte and their successours, in whiche action the partie defendaunt shall not wage his lawe, nor haue any protection or cospone allowed.

GOD SAVE THE KING.

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Thomas Wetthelet printer to
the kynges moste noble
grace.

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1 AP64

